


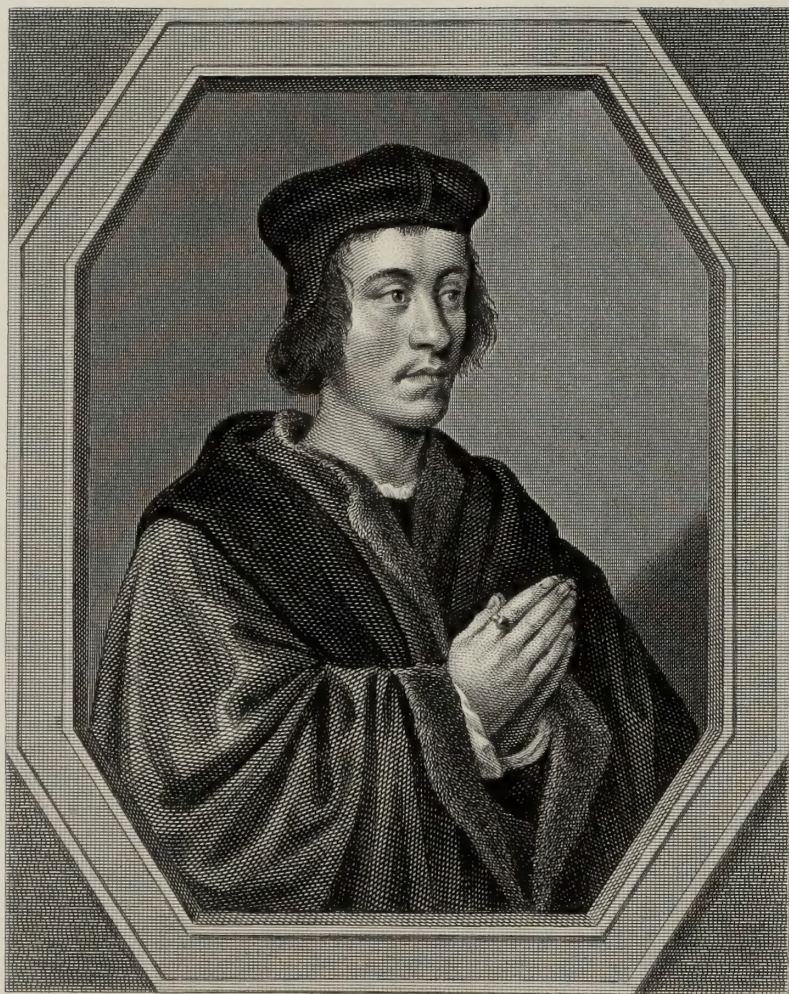
E. K. WATERHOUSE



A HISTORY OF
THE FAMILY OF FORTESCUE.



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THE FAMOUS AND RIGHT HONOURABLE
SIR JOHN FORTESCUE KNIGHT.
LORD CHANCELLOR OF ENGLAND
TO KING HENRY THE SIXTH.

*From Faithorne's print of an original portrait on wood,
belonging to Sir John Fortescue Bart of Salden, A.D. 1662.*

A HISTORY OF
THE FAMILY OF FORTESCUE
IN ALL ITS BRANCHES.

BY
THOMAS (FORTESCUE) LORD CLERMONT.

SECOND EDITION.

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PREFACE TO THE FIRST EDITION.

HIS family history is the result of a desire felt by the Author, when collecting the Works, and examining the career of Chancellor Fortescue, to know something more than what the Peerages record of the links which connect him by descent with that eminent person.

He had at first no intention to inquire into the history of any branch of the Fortescues, excepting that of which the Chancellor is a direct ancestor. In searching, however, for materials to carry this scheme into effect much was found which related to other branches of the house; several persons of the name who occur in the Chronicles or Histories of England proving to be lineal descendants, not of the Chancellor, but of his brothers; while others were traced to forefathers who formed part of the common stock at an earlier period. The writer therefore having, as it were, drifted into this more general investigation, resolved to include in his account all that could be discovered relating to any and every branch of the Fortescue family, not excluding those who remained in Normandy after the Conquest of England.

His chief source of information has been, in the first and principal place, the

Preface to the First Edition.

British Museum, where a large part of the genealogical and biographical matter has been drawn from the Herald's Visitations, from the "*Inquisitiones post Mortem*," and from collections of public and private letters.

The Record Office, whose stores of State Papers are now accessible for reference through the printed Calendars, has also furnished many details of interest, as have the Carte Papers in the Bodleian Library; while for actual genealogy based upon the records of birth, marriage, and death, the Pedigrees and extracts from Parish Registers in "*Stemmata Fortescuana*" drawn up in the year 1795 by Mr. Benjamin Incedon, and now belonging to Earl Fortescue who kindly placed the MS. volume at the Author's disposal, have been largely used, together with the Wills at Doctors' Commons, and the Funeral Certificates at the College of Arms.

In arranging the numerous items of this subject, spreading as it does over a space of eight centuries, the Author has, among the great mass of what is dry or unimportant, met not unfrequently with incidents and details sufficient, when read by the light of contemporary history, to bring out tangibly, to his own perception at least, something of the life and character of the person to whom they refer; and he trusts that by putting those incidents on record, and thus supplying to the dry bones of a skeleton pedigree the flesh and spirit of actors in scenes, historical or social, of real life, he may succeed in imparting to his "*Cousins*" near and distant,—the only readers which a Work of this nature can be expected to attract,—some of the interest in the subject which he has himself acquired.

It has been his desire, by tracing the various branches of the Family to a common ancestor, who lived at the time when the history of Anglo-Norman England may be said to begin, to present it as an ideal whole, taking part through

Preface to the First Edition.

one or more of its members, and to a greater or less extent, in the events of almost every period of the history of our country ; not, indeed, with any such prominence as to entitle it to a place among the powerful families of the land, but sufficiently to stamp it as a fair example of a knightly and noble House of England.

The Author has received assistance from many quarters, as well from members and connections of the Family as from others ; and his requests for information on particular points have always been courteously answered, sometimes at the cost, he fears, of considerable trouble to those to whom he has applied.

The names of these contributors need not be repeated here, as their services are acknowledged in the pages of this volume. He must, however, record the valuable help received, for every part of this work, from Mr. Richard Sims, of the British Museum, whose intimate knowledge of the MSS. and genealogical works in the Library there has supplied the Author with a great part of his materials.

CLERMONT.

35, *Hill Street*,
February 6th, 1869.



PREFACE TO THE SECOND EDITION.

THE distribution of a small edition of this Family History, privately printed in 1869, has shown that there are persons beyond the range of family connexions who take an interest in such genealogical narratives as the present. I am consequently encouraged to issue for publication a limited number of copies as a new edition of the work.

A few additions have been made—the principal being a series of letters from Sir John Fortescue, of Salden, Queen Elizabeth's Minister, to Sir Robert Cecil and other public men of the period, from the Hatfield collection, to which I lately obtained access through the obliging courtesy of the Marquis of Salisbury. A last reading over of the beginning of the volume induces me to remind the reader that the so-called early history of this family, like that of many others, is really not history at all, not being founded on documentary evidence, but tradition—deserving of credit so far only as it is not contradicted by probability or historic fact. The "Domesday Book" does not record, in any recognizable form, an ancestor of the Fortescues among the persons who received grants of land from William the Conqueror. The residence, therefore, at Wimstone,

immediately after the Conquest, of Adam Fortescue, either as a tenant-in-chief or as an under-tenant, must not be unreservedly accepted. If the Fortescues were there at all at that early time, it was probably in some other capacity than that which either of those tenures would imply.

I must here renew my acknowledgments to Mr. Richard Sims for valuable assistance in almost every inquiry connected with this new edition; and in particular for carefully editing the Norman Rent-roll now appended to the work. After the printing of this volume was finished, I was favoured by Mr. Knight Watson, Secretary to the Society of Antiquaries, with a notice of a remarkable sketch communicated to the Society on the 21st of December, 1769, by the Honourable Daines Barrington, purporting to represent Chancellor Fortescue in his robes of office, bearing a bag with the Great Seal; and I desire to express my obligation to that learned Body for allowing it to be lithographed for this work. The hat, and the manner of wearing the beard,—more in accordance with the fashion of Elizabeth's reign than with that of Henry the Sixth,—seem to refer to the later period the execution of the sketch; the chief intention of which may have been to illustrate a mode of carrying the Seal-bag.

CLERMONT.

35, *Hill Street*,
August 19th, 1880.



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CORRECTIONS FOR HISTORY OF THE FAMILY OF FORTESCUE.

Page 10, line 1, *for* "North Melton" *read* "North Molton."

Page 42, line 13, *for* "died in 1783" *read* "died in 1733."

Page 54, line 10, *for* "Robert Corbet" *read* "Roger Corbet."

Page 137, line 13, *for* "Granville" *read* "Grenville."

Page 148, line 15, *for* "William Farry" *read* "William Vacy."

Page 152, line 11, *for* "born in 1789" *read* "born in 1689."

Page 426, line 17, compared with page 429, line 15:—If the date of Sir Anthony Fortescue's marriage is correct, that of the birth of his third son George must be wrong. See page 447 in Appendix.

Page 496, line 1, *for* "see page 474" *read* "see page 471."



AN ACCOUNT OF THE FAMILY OF FORTESCUE.

INTRODUCTION.

THE family of Fortescue, like many others of our ancient houses, is of Norman extraction, and claims to have been planted in England by a companion or follower of William the Conqueror, known to the pedigrees of all its branches as Sir Richard Le Fort, or Fort-Escu. An ancestor of this soldier of the invasion was, as we may safely assume, one of those Danish or Norwegian sea rovers who scarcely more than a century and a half before, under the leadership of Rolf, or Rollo, landed on the French coast, and made themselves masters of Rouen and the eastern parts of the modern province of Normandy: and who, thirty years later, after the defeat of a Breton prince, extended their territory as far to the west as the present boundary of Normandy and Brittany, driving the native inhabitants into the latter province, and dividing among themselves, to soldiers as well as to chiefs, the vacant lands.

The double operation of conquest and colonization was performed both thoroughly and speedily; for the district, known afterwards as the Côtentin and the Bessin, became within the space of a few years, although the last annexed, one of the most completely Normanized, so that, as the historian tells us, it came to be reckoned as "the very Normandy of Normandy."¹

Here the Danish language and the heathen religion kept their ground until the close of the tenth century, and here the rough knights and barons, proud of their Scandinavian blood, which was purer than in the rest of the Duchy, and remarkable for their turbulent in-

¹ Palgrave's *History of Normandy and England*, vol. ii. p. 178.

dependence of the Rouen government, were accustomed to go into battle crying for aid to Thor, rather than to the God of their Christian fellow-countrymen.¹

It was chiefly in the northern part of this region, in what the Historian of the Conquest styles "the noble peninsula of the Côtentin,"² the cradle of Anglo-Norman families, that the ancestors of the Fortescues appear to have received their shares of the conquered territory. It was there, at all events, that the first mention of the name occurs, and it was there, within a few leagues of the town of Carentan, that, as we learn from abundant documentary evidence, the Fortescues held many fiefs, and occupied many residences from an early period.

The venerable and almost uniform tradition relating to the origin of the name, and to the establishment of the family in Normandy and in England, is as follows. Richard,³ surnamed Le Fort, a very strong man, a Norman knight, and cupbearer to the Duke of Normandy, landed in England with his master in the year 1066, and fighting in the great battle of Senlac or Hastings, saved the Duke, who had three horses killed under him, from the blows of his assailants, protecting him with his shield. In allusion to this deed of valour Richard, before named Le Fort, under which name, as Fort or Forz, he appears in Grafton's and Holinshed's copies of the Rolls of Battle Abbey, was thenceforward known as Richard le Fort-Escu, or the Strong Shield, "which surname," writes Holinshed, "is deduced from the strength of his shield whereof that familie had first originall." Afterwards, when the use of mottoes was introduced, his descendants chose one with reference to the same event—"Forte scutum salus Ducum," that is, "A strong shield the safety of leaders."

The tradition further says that after the Conquest Richard Fort-Escu returned to Normandy, where his descendants through a second son flourished until the eighteenth century, leaving behind in England his eldest son Sir Adam, who had also fought at Hastings, and who was the ancestor of all the English Fortescues. Whether the incident on the battlefield has any foundation in fact or not, we are probably justified in considering the name of Le Fort rather as that of a family than as a cognomen acquired by the aforesaid Richard. He may have been a soldier belonging to the family of Le Fort, well known within and near the Côtentin in early times; and an event such as that referred to by the motto may have actually taken place under less remarkable circumstances, and may have suggested the two last syllables of the new surname.

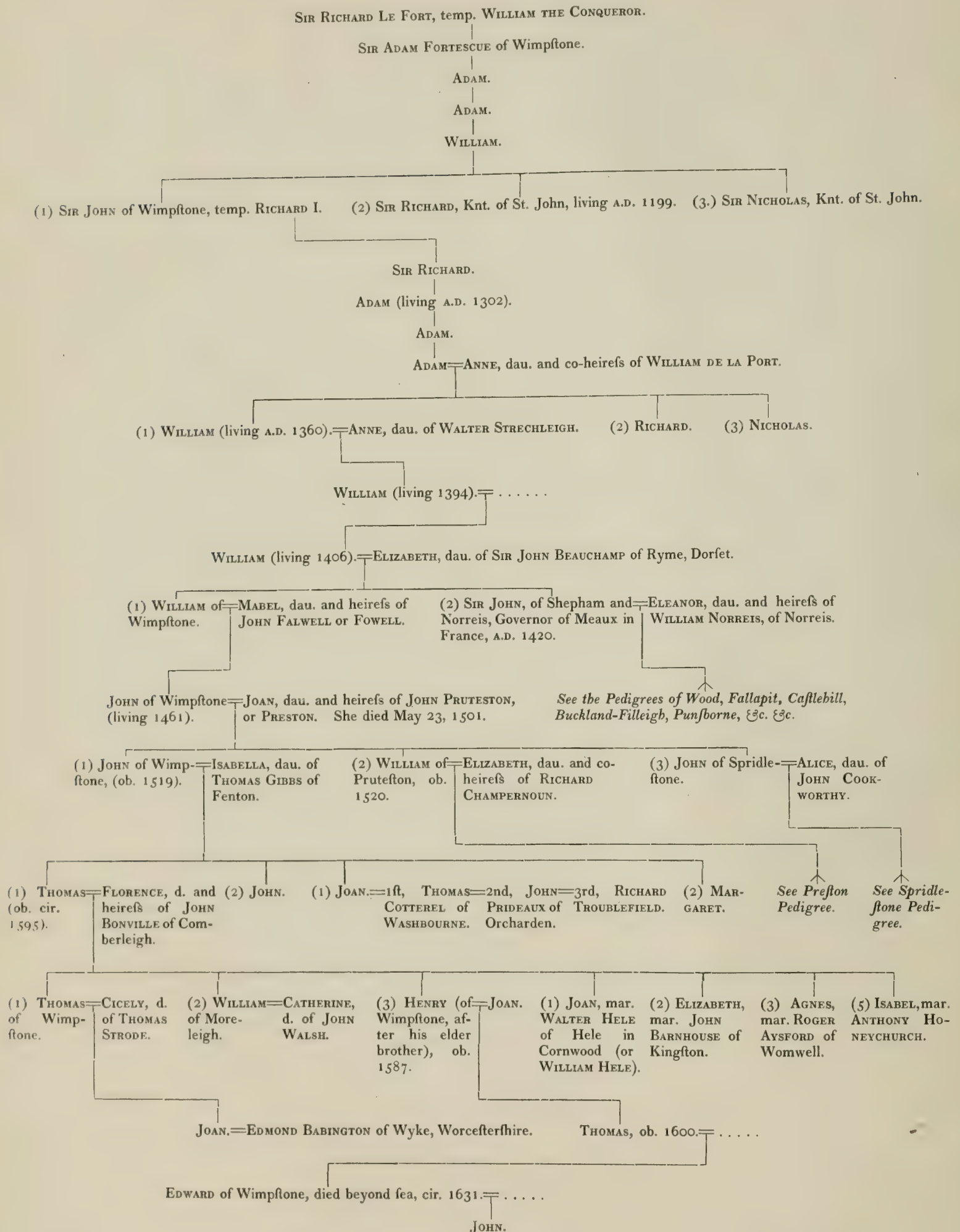
In whatever way the fact is to be accounted for, it is certainly true that within a century and a half from the invasion of England, the name of Fortescue is found existing both in Normandy and in Devonshire, and that, being obviously not of local or territorial origin, it can hardly have arisen otherwise than from some such personal incident as that which tradition has handed down to us.

¹ Thierry, *Conquête de l'Angleterre par les Normans*, vol. i. p. 206, 272.

² Freeman, *Norman Conquest*, vol. i. 182, 2nd edition.

³ The French genealogists make him Robert or William.

FAMILY OF WIMPSTONE, 1066 to 1631.





CHAP. I.

The Fortescues of Wimstone.

SIR RICHARD FORTESCUE is supposed to have returned to Normandy before the division of the conquered lands in England, but his son Sir Adam received, we are told, grants of lands in Devonshire and other counties, and was seated at Wymondestone or Wimston, in the parish of Modbury and hundred of Ermyngton in South Devon, where he was in due time succeeded by his son, also named Adam, who was followed by his son, a third Adam, who was the father of William,¹ who had issue three sons, namely, Sir John, the eldest, Sir Richard, and Sir Nicholas, the second and third, which two younger sons were Knights of St. John of Jerusalem, and went to the Crusades with Richard Cœur de Lion. Here we begin to leave the period of tradition, and are henceforth assisted by contemporary documents, the earliest being the record of an Assize de Morte d'Ancestre of the year 1199, in which the aforefaid Richard Fortescue, with William Bastard and others, are ordered to be attached for non-appearance.²

We now proceed with Sir John Fortescue of Wimstone, the eldest son of the last Adam Fortescue.

In the tenth year of King John, A.D. 1209, a charter was obtained by him from that king, granting or confirming in his possession the lands of Wimstone.³ This deed was known to Sir William Pole the great antiquarian and genealogist of Devonshire, who in the year 1616, included it in a collection which he calls his "Great Volume of Charters;" "a vast manuscript volume," says Prince, "as big as a Church Bible." Lord Fortescue of Credan also had a copy of it. It began thus:—"Rex Johannis, per literas suas patentes, anno decimo regni sui concessit Johanni Fortescu Wimondeston in Com. Devon."⁴ This Sir John Fortescue, who was a commander in the army raised by Lord William de Brewer

¹ See Pedigree in College of Arms.

³ Prince, p. 638, and Gregor's MS. Letters.

² Palgrave's *Rotuli Curiae Regis*, vol. ii. p. 201.

⁴ Prince, p. 383.

against the rebellious Devonshire barons in the eighteenth year of King John, is said to have received from that king, in reward of his services, several manors, lands, privileges, and honours.¹

Wimstone, or Wimpstone, the first seat of the Fortescues in England, remained in the family until the time of Queen Elizabeth.² Westcote, in his View of Devonshire, writing before 1607, thus treats of it:—"It were blameworthy to leave Wimpston, *alias* Wymondsham, which hath bred so many worthy personages, unremembered. Wimpston, the first seat of the glorious name of Fortescue in this kingdom (which name, saith Mr. Hollenshed, is deduced from the strength of their shield, wherof it took name; as if you would say (that I might explain it), 'forte scutum salus ducum,' his pofy).

"There have been many famous and excellent men of this stirpe, both in arms and seat of justice, and separated into divers places in this county and elsewhere. In most of them they flourish in this age, as Wear-Giffard, Fillegh, Buckland-Fillegh, Fallopit, Wood, Spurleston, Preston, and other. I will enlarge no farther—Wimpston is lately alienated."

John Fortescue was succeeded by his son, Sir Richard,³ whom we find granting lands called Stoliford to Walter Faber of Modbury, in Devon. To him succeeded Adam, who was alive in the year 1302; for it was then stated that he held Wymondston by one knight's fee of the honor of Tremeton, in Cornwall.⁴ He was followed by his son, also Adam, who in the following deed styles himself the son of Adam Fortescue:—"Sciant omnes, &c. &c. Ego Adam filius Adæ Fortescue dedi Henrico de Lopperigge septem solidos annui redditus quos Richardus filius Philippi Gretun solvere solebat pro tenemento suo in Wymondston, &c. &c. Hiis Testibus Domino Andrea Trelofk, milite, Petro de Prideaux, Thomâ Boys de Hele, et aliis.

"Dat' die Veneris prox' post festum Sancti Ambrosii,⁵ anno regni Regis Edwardi filii Regis Henrici tricesimo."⁶

To this deed an oval seal is affixed, wherein was the badge of a star, and round the seal "Sigillum Adæ Fortescu."⁷

To him a third Adam was son and heir, and succeeded his father. This last Adam married Anne, daughter and co-heir to William Delaport of Old Port, in Devonshire (the ancient mansion of which family still exists, though now a farm-house),⁸ by whom he had issue three sons, William, Richard, and Nicholas.

William the eldest son succeeded; he married Alice daughter of Walter Strechleigh; and he inherited through his mother, at the death of her father William Delaport above named,

¹ Lodge, Peerage of Ireland, vol. iii. 341.

² Notitiæ and Pedigrees.

³ April 4th, St. Ambrose's Day.

⁷ Collins, iii. 336.

² Westcote's Devon, Exeter, 1845, p. 394.

⁴ Pole, MS. Charters, p. 428, in Collins.

⁶ Not. and Ped.

⁸ Collins, iii. 336, and Notitiæ.

and who was still alive in 1342, lands in the parish of Holbeton¹ in South Devon. In the nineteenth year of King Edward III., A.D. 1346, at the making that king's eldest son the Black Prince a knight, William de Fortescu paid the usual contribution for one knight's fee in Wymondston, which Adam de Fortescu held of Tremeton.²

In the twenty-eighth of Edward III. (A.D. 1354) he is witness to a deed of Walter de Strechleigh, who thereby enfeoffed his lands in Strechleigh, Forfan, Cokeſland, Broke, Dunſtan, and Tamerton on his daughter the wife of the ſaid William Fortescu.³

In 1360,⁴ he, with Robert de Henton, has a grant from Richard Mauldit, commonly called Somaifter, of lands and tenements in Old Port and Paynſton, dated at Old Port on the Monday before the Feaſt of St. Andrew, 34 Edward III.

This William,⁵ with his brother Nicholas Fortescu, and Sir Walter Bluet, granted, by deed dated at Orcheſton, in the forty-third Edward III. (A.D. 1369), to Sir John Prideaux all their rights in the manors of Orcheſton, North Allington, ſome in Tenhed, &c.

William de Fortescu was ſucceeded by William, his ſon by Alice Strechleigh, and he, in his mother's right, received in the year 1375 from William Coffin, a grant in reversion after the death of his grandfather Walter de Strechleigh, of all William Coffin's lands in Strechleigh, Forfan, Cokeſland, Brooke, Brinton, Tamerton, and Donſtan, &c. &c.⁶

In the next year (1376),⁷ he, with Thomas Champernoun and Walter Strechleigh, grant to William Yurle Vicar of Yalkhampton a yearly rent of 40*l.*, to be paid out of their lands. To this deed the ſeal of the Fortescue family is annexed.

In January, 1378,⁸ the firſt year of Richard II., William Fortescu grants to Sir Philip Courtenay and Sir Peter Courtenay all his lands and tenements in Old Port and Paynſton, and in the next year⁹ he, jointly with the two knights juſt named, had a grant from Richard Mauldit, or Somaifter, of lands in Smytheſton, Wimpell, and Thurveton.

This William was alive in the end of the year 1394. He was ſucceeded by his ſon William, who had married, during his father's lifetime, Elizabeth Beauchamp daughter of Sir John Beauchamp of Ryme in Dorſetſhire, great-grandſon of Robert de Bello Campo or Beauchamp Baron of Hatch in Somerſet.¹⁰ She afterwards became a co-heireſs with her ſiſter Joan, wife of Sir Robert Chalons, to her brother Thomas Beauchamp of Ryme, who died without iſſue.

She was the widow, without children, of Richard Brancſcomb.¹¹ There was an aſſignment of dower dated the Tueſday after the Feaſt of St. Martin, 18 Richard II., A.D. 1394, by John Martyn, probably a truſtee, to William Fortescue the younger, and Elizabeth his

¹ Notitiæ and Pedigrees.

⁴ Notitiæ and Ped.

⁷ Not. and Ped.

¹⁰ Ped. in Stem. Fort.

² Collins, vol. iii. 336.

⁵ Not. and Ped.

⁸ Not. and Ped.

¹¹ Not. and Ped., and Collins, iii. 337.

³ Ib., from Pole, p. 215.

⁶ Not. and Ped.

⁹ Collins, iii. 337.

wife, over all the lands in Over-Aller which were the property of the aforefaid Richard Branscomb. This assignment was sealed with the Fortescue arms, with a crescent for difference.

In the year 1406, being the eighth year of King Henry IV., William Fortescue and Elizabeth his wife left their manor of Estecot, "juxta Otery beatæ Mariæ," to John Ashe and his wife for their lives.¹

I find in Hutchins' History of Dorsetshire the following particulars of the inheritance of Elizabeth and Joan Beauchamp:—

"Ryme Intrinfeca.—This little Vill is situated on the borders of the co. of Somerset. It was the feat of Sir Humphrey Beauchamp, second son of Robert de Bello Campo, Baron of Hatch in Somersetshire, whose son Sir John, by the daughter and heir of Sir Roger Novant, had issue Sir John Beauchamp of Ryme, father of Thomas, who died issueless, leaving for his heirs his sisters, wedded to Sir Robert Chalons and John (William) Fortescue. The Fortescues do not seem to have possessed this manor long. William Fortescue was Lord of Wimpstone, in Devon."²

The children by this marriage were two sons, William and John.

The family estates appear by this time to have grown to a considerable extent, increased from time to time by several marriages with heiresses. From the foregoing account of grants and portions it may be gathered that this William of Wympton, or Wimstone, possessed, besides that estate, lands in Holberton, Strechleigh, Forfan, Cokeiland, Broke, Donstan, Tamerton, Smytheston, Wimpell, Thurveton, and Estecot, all of them, I believe, in South Devon; besides the manor of Ryme in Dorset, inherited from the Beauchamps. Upon his death the first offset from the main trunk of the tree of descent occurs; the eldest son William succeeding at Wimstone, and, as we shall presently see, becoming the origin of several branches of Fortescues; while the second son, John, although he inherited but a small portion of the paternal estates, was, through his three sons, the source whence at least as many considerable houses sprang.

We proceed with the descent of the elder line of Wimstone.

William Fortescue, the eldest son of his father William by Elizabeth Beauchamp, was married, about the year 1394, to Mabel daughter and heir of John Falwell, or Fowell, and was succeeded by his son John,³ who appears to have been returned to Parliament as a burgess for the borough of Tavistock in the 2nd of Henry VI., and again in the following year, and in the 4th of Henry VI. he sat for Totness in the Parliament held at Leicester, and for Plymton in that held by the same king at Westminster in the eighth year of his reign. He married, before the year 1450, Joan, daughter and heir to John Prutston, Pruteston, or Preston, of Pruteston, in the parish of Newton Ferrers, a few miles south of Plymton. He

¹ Not. and Ped.

² Hutchins' Dorset, iv. 295.

³ Willis, Not. Par.

was the sixth in descent from William de Pruteston, who was seated there in the time of Edward I.

John Fortescue, of Wimston, was living in the year 1461, in which year we find him witness to a deed. He died before his wife. At the death of the latter on the 23rd of May, 1501, an inquisition post mortem was held at Ermyngton, from which it appears that at her death Joan (de Pruteston) was seized of lands in Ermyngton, Werthele, Burraton, and Hefford, to which her eldest son John Fortescue of Wimstone, aged, at his mother's death, more than fifty years, was heir; and that her second son William was then alive. This second son inherited the Pruteston estate.

There was a third son of John Fortescue by Joan de Pruteston, named, like his elder brother, John, according to a practice not uncommon at that period, but which must have been most inconvenient. He inherited an estate at Spridleston, or Spirlston, in the parish of Brixton in South Devon, which remained with his posterity until the beginning of the present century.

John, the eldest son of John and Joan, succeeded at Wimstone. He married Isabella, daughter of Thomas Gibbs, of Ferriton, or Fenton; and died in 1519, aged sixty-nine years, seized of the manor of Fortescue, *alias* Wimstone, and of lands in Stancomb, Higher Falewyll, Lower Falewyll, Staverton, Derlington, Harberton, Tateton, Ottery St. Mary, Ermyngton, Plympton, &c., leaving issue two sons, Thomas his heir, and John; and two daughters; Elizabeth, (married three times, 1st, to Thomas Cotterell of Washbourne; 2ndly, to John Prideaux of Orchard; and, 3rdly, to Richard Troublefield); and a second daughter, Margaret. The eldest son, Thomas, was born A.D. 1490, being twenty-nine years old at his father's death. He married Florence, daughter and heir of John Bountle of Combraleigh, and one of the heirs of — Denys, by whom she obtained the manors of Alston and Sutton, in Somersetshire. Thomas Fortescue died 1554, leaving three sons and four daughters; 1st, Thomas, his heir; 2nd, William, styled of Moreleigh, who married Catherine, daughter of John Walsh; 3rd, Henry, who died December 1, 1587, leaving a son, Thomas, aged twenty-two at his father's death. The four daughters were, 1st, Aquila, married to Robert Ashford, of Wonnell; 2nd, Elizabeth, to John Barnhouse, of Kingston; 3rd, Isabella, to Anthony Honichurch; 4th, Joanna, to William Hele of Cornwood.¹

Thomas the eldest son succeeded at Wimstone on the death of his father, in 1554; he married Cicely, daughter of Richard Storde, of Newnham in Devon, by whom he had issue an only daughter, Joan, married to Edmond Babington, of Wyke in Worcester-shire.

His successor at Wimstone was his third brother Henry, who died December 1, 1587. He, by his will, dated 4th August, 1585, desires to be buried with his ancestors within the

¹ The authorities for the statements on this page are various Inquisitiones Post Mortem, the Stemmata Fortescuana, and Pole's Collections.

parish of Modbury, and directs that his "wife Joan may dwell at Wimstone, or at my house at Kingston." Henry was succeeded by his son Thomas, who was aged twenty-two years at his father's death, and had the manor of "Wymondeham," *alias* Fortescue. He died, aged thirty-five years, on the 9th of March, 1600, at his seat at Wimstone, and was succeeded by his son Edmond, born in 1582; of whom we learn from the probate of his will, in 1632, that he died in parts beyond the sea. He is styled in that document, Edward Fortescue, of Wymstone. He left a son John, to whom administration was granted. Beyond this John there is no record of any male descendant of the Fortescues of Wympton. The manor was probably sold by him, if not by his father—most likely by the latter, judging from the language of Pole and Westcote. This last, writing about 1630, says: "Wimpton is totally alienated;" and Sir William Pole, who died in 1635, writes: "This ancient lynage, contynued from the raigne of King John unto these late tymes at Wymonston (out of which all the Fortescues of England are issued), is nowe utterly wasted, and the land of Wymston occupied by Mr. Arthur Strobridge, who nowe dwelleth at Wymston."¹

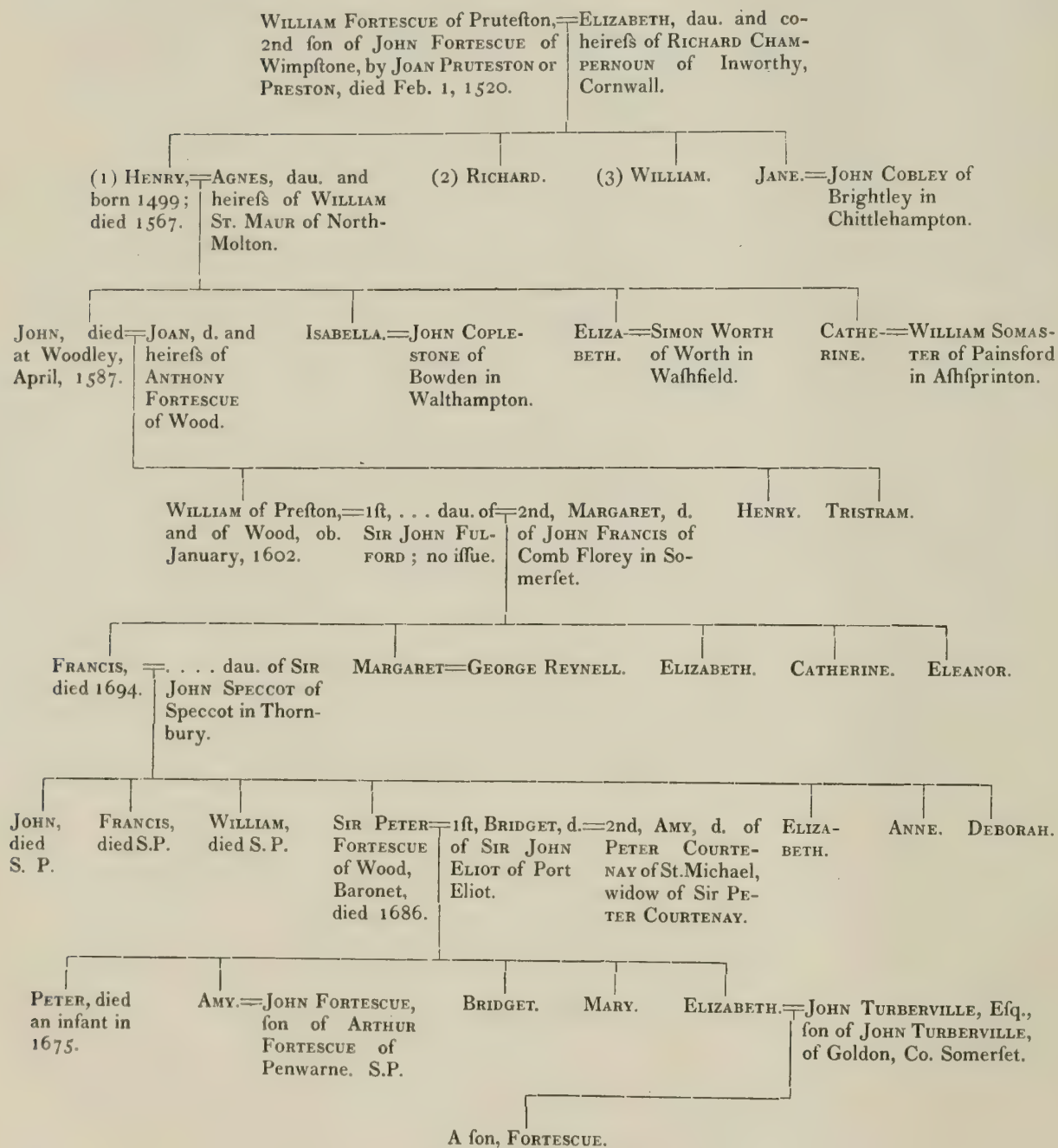
Wimstone passed to the family of Champernoun; thence to that of Ourry, which took the name of Treby; and in Lysons' time (1822), it belonged to W. L. Prettyjohn, Esq., who had built a house on the estate.²

There is no trace of the descent of any of the numerous denominations of landed estates which were found to belong to John Fortescue of Wimstone in 1519. Some were sold, and, possibly, others went, on the failure of male heirs, to daughters. Of this, however, I have not found any notice.

¹ Pole would not admit anything less formal than a "charter" as evidence of possession. He ignored all tradition, and consequently that which gave Wimstone to the Fortescues at the Conquest.


² For the foregoing particulars, see the *Inquisitiones Post Mortem*, and Wills.

FAMILY OF PRUTESTON, OR PRESTON.



CHAP. II.

The Fortescues of Preston, and of the Second Line of Wood.

N the disperſion of the landed eſtates of the elder Wimſtone line, and the apparent failure of male representatives, the poſterity of William Fortescue of Wimſtone by Iſabella Fálwell, through their ſecond ſon, William of Pruteſton, became the ſenior branch of the family.

This William of Pruteſton or Preſton married Elizabeth Champernoun, daughter and co-heir of Richard Champernoun, of Inworthy¹ in Cornwall, by whom he obtained property in the pariſh of Harecomb in Devon, as well as a third of the manors of Inneſwicke, Tregemare, and Alett, and other lands in Cornwall. He died in 1520. His will, dated April 4th, 1518, being the earlieſt Fortescue will extant, ſo far, at leaſt, as I have been able to aſcertain, is here printed:—

“In dei nomine Amen, viceſimo quarto die menſis Aprilis, anno dñi Mill’imo quingentefimo xviii^o Ego Willielmus Fortescu compos mentis et ſane memorie condo teſtamentum meum in hunc modum. Imprimis lego aĩam meam deo omĩpotenti corpusque meum ſepeliend’ in ecclĩa parochiali de Ermyngton. Itĩm lego vicario ejuſdem ecclĩe pro decimis oblitis x^s. Item lego ecclĩe p̃diãt’ ut pro me oretur in Rotul’ Orator^s xx^s. Item volo quod executor meus diſtribuat pauperibus in parochia p̃dicta omni die Veneris paraſcev’ per ſpaciũ ſeptem annor’ vj^s. viij^d. viz. unicuique eorum iiij^d. Item volo quod dominus Danyell capital’ meus habeat per ſpaciũ duorum annorum annuatim quatuor marcas cum convicũ et toga ut oret pro me. Itĩm volo quod Henricus filius meus habeat revercionem oĩm illorũ meſuag’ cum pertinen’ in Newton Sancti Gery et poſt ejus deceſſum ſui hered’ quam huĩ ex conceſſu prioris et convent’ monaſterii de Plympton pro termino annor’ ut in quadam carta ſpecificat’. Item volo quod omĩ conjugati heaĩt iiij^d et ſui uxores iiij^d. Item volo quod viduar et vidue habeant ſinguli ij^d. Item volo quod prior de Plympton habeat vj^s. viij^d. et unusquiſque canonicus ejus prioratus xij^d ad celebrand’ miſſam et exequias pro me et fidel’ defunãt’. Item volo quod prior de Totton’ habeat iiij^s. iiij^d. Et unusquiſque monacus ibidem viij^d. ad celebrand’ miſſam et exequias pro ſalute anime mee et omnium fidelium defunãtor’. Refiduum vero bono’ meo’ ulterius non legatorum do et lego Henrico filio meo quem quidem Henricum ordino, facio et conſtituo meum verum executorem ad implend’ hanc meam ultimam voluntatem prout ſibi melius videbitur. Item ordino et conſtituo Johannem Fortescu fratrem meum ſuperviſorem ad hanc meam voluntatem perimplend’.

“Proved at Lamehith on the 12 day of February, A.D. 1521, by the oath of Henry Fortescu executor in the ſ^d will nominated.”

William Fortescue was ſucceeded by his ſon and heir Henry, born in 1499, married

¹ I. P. M.

to Agnes, daughter and heir of William St. Maur of North Melton; and died May 3, 1567,¹ leaving, with other children, his son and heir John,² born in 1519, married to Joan Fortescue daughter and heir of Anthony Fortescue of Wood.

This John Fortescue died April 11, 1587, at Woodley; his son William was seized of Preston, and of Wood also on the death of his mother,³ who lived after his father. William died at Armington, January 29, 1602, having married:—first, the daughter of Sir John Fulford, by whom he left no issue; and secondly, Margaret, daughter of John Francis of Coombe Florey⁴ in Somerset, who survived him. By her he obtained a third of the manor of Coombe Florey. His children were one son Francis, and four daughters, to each of whom he left by will four hundred pounds.⁵ There are three post-mortem inquisitions relating to his estates; one taken at South Tavistock, one at Totnefs, and a third at Taunton, for the Somerset property. His heir, Francis, born in 1598, married the daughter of Sir John Speccot of Speccot in Thornbury, and died April, 1649, leaving by his will 1000*l.* each to two of his daughters, Anne and Deborah.⁶

He was succeeded by his third surviving son Sir Peter Fortescue of Wood, created a Baronet in January, 1666-67, married, first, to Bridget, daughter of Sir John Eliot, of Port-Eliot in Cornwall, and secondly, to Amy, daughter of Peter Courtenay, Esq. of St. Michael, and widow of Sir Peter Courtenay, Knight. Leaving no male issue—his only son Peter having died an infant—the Baronetcy became extinct at his death in 1685. He left three daughters,—Amy, married to John Fortescue son of Arthur Fortescue of Penwarne in Cornwall, who left no issue; Bridget; and Elizabeth, married in 1667 to John Turberville, Esq. son of John Turberville of Golden in Somerset,⁷ and had issue a son. Sir Peter, by his will dated June 29, 1675, leaves his “real estate in trust for such daughter who should marry a Fortescue.”⁸ From this it may be supposed that his daughter Amy, the wife of John Fortescue, inherited the estate. She, however, had no issue.

Thus the families of Preston in the male line, and of Wood in both male and female lines, were extinguished.

¹ I. P. M.

⁴ I. P. M.

⁷ Wills; and also in Stem. Fort.

² I. P. M.

⁵ Wills.

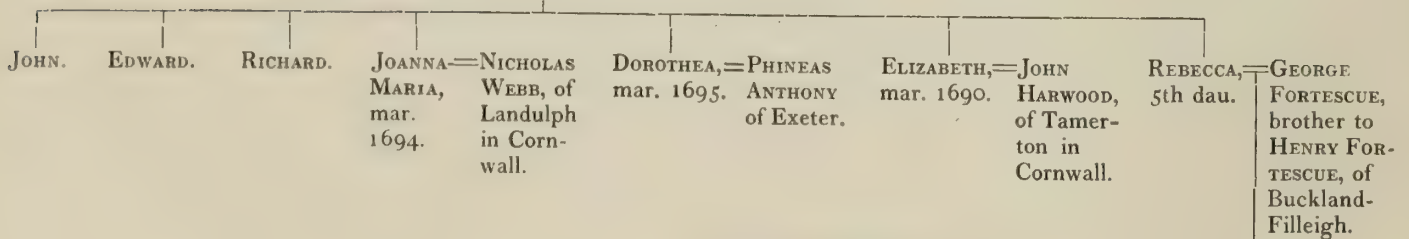
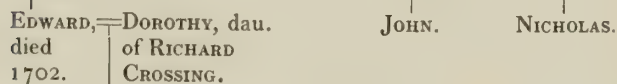
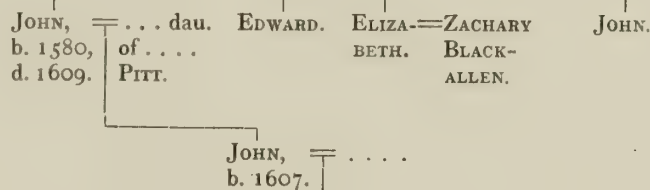
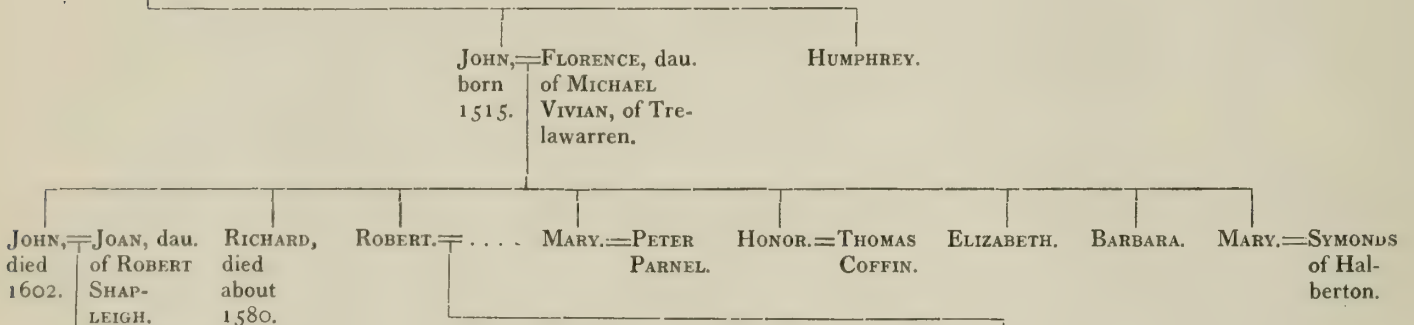
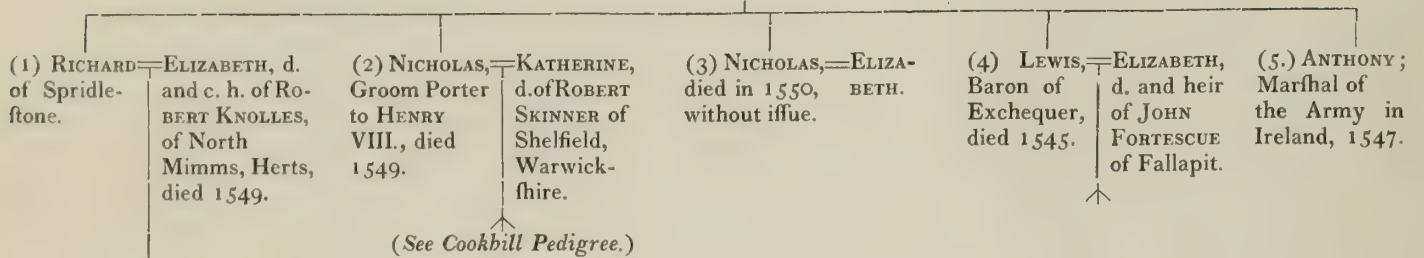
⁸ N.B. See a Will of Peter Fortescue of Preston, 1672.

³ See the Pedigree of Fortescue of Wood.

⁶ Wills.

FAMILY OF SPRIDLESTONE.

JOHN FORTESCUE of Spridlestone, 3rd son of JOHN FORTESCUE of Wimpstone, by JOAN PRUTESTON. — ALICE, dau. of JOHN COCKWORTHY of Cockworthy in Yarncombe.



JOHN FORTESCUE, of Bampton, afterwards of Buckland-Filleigh.

(See that Pedigree.)

CHAP. III.

The Fortescues of Spridlestone.

THE branch of the Wimstone Fortescues which comes next in order is that which took its rise from John Fortescue the younger, third son of William of Wimstone; by Mabel Fowell, styled John Fortescue of Spridlestone from the mansion and estate of Spridlestone in the parish of Brixton, near Plympton, left to him by his father. He married Alice, daughter of John Cockworthy or Keckworthy,¹ of Cockworthy in Yarncomb, by whom he had issue,—first, Richard; second, Nicholas, Groom Porter to Henry VIII., who died in 1549, and was ancestor of the present family of Knottesford Fortescue; third, Lewis, a Baron of the Exchequer, who died in 1545, having married the heiress of the Fortescues of Fallapit; and fourth, Anthony Marshal of the army in Ireland,² to which office he was appointed by Patent dated December 18th, 1547, 38 Henry VIII., under the title of “Marescall, exercitus et aliorum belligerorum in regno Hiberniæ.”³

He had two years before served in the expedition to Scotland, undertaken by Henry to enforce his design of bringing about an union between England and Scotland by the marriage of his son Edward with the Princess Mary.⁴ The Earl of Lennox went to Ireland to gain troops for this purpose, which were placed under the command of the Earl of Ormonde. The Lord Deputy, St. Leger, writes thus to the Privy Council:—

“Kilmainham, October 10th, 1545.

“The Erle of Lennox hath made such instant request to have with him John Travers, Master of the Ordonance, and Anthony Fortescue, with certain gunners and archers, alleging to me that it was his Majesty’s pleasure that he should have such as he thought good, I have, by the permission of the Council here, put in readines the same John and Anthony, with a son of mine own; and with them one hundred gunners and archers; so as I reckon with mariners all, they shall be 2400 men, with 10 or 12 ships well provided with good artillery, beside other botes.”⁵

This Anthony has been in many pedigrees confounded with Sir Anthony Fortescue, brother of Sir John of Salden, and a much younger man, being born about 1536.

¹ Lodge and Ashmole MS.

² See Visitation of Surrey, 1530, 1572, 1623; Harl. MS.

³ Pat. Rolls, 3rd Hen. VIII., Lysons’ Devon, ii. 73.

⁴ Rapin, i. 835; Carte’s Ormonde, vol. i. p. 51.

⁵ State Papers, Hen. VIII., Part 3, p. 535.

Family of Spridleston.

Richard Fortescue of Spridleston, the eldest son, married Elizabeth daughter and co-heir of Robert Knolles of North Mimms, in Hertfordshire;¹ by this lady, who survived him, and died October 25, 1549, he obtained lands in Weke in the parish of Sexley-Monachorum, in Devon, held of the king by knight's service.² Their issue were two sons, John and Humphrey.

John of Spridleston, the eldest son, was born in 1515; he married Florence daughter of Michael Vivian of Trelawarren in Cornwall; by whom he had issue, with other children, his son and heir John, married to Joan daughter of Robert Shapleigh, and a second son Richard, who left a will dated March 3, 1578, and proved May 3, 1580, which is extant, and of which a few particulars may be given. He alludes to "an adventure on the seas" in which he took part. He leaves his lands called Saltram, in Plympton-St.-Mary, which he had by demise from his father, to his nephew John Fortescue, son of his late brother Robert. He gives a bequest to the poor of St. Andrew's, Holborn, and of Brixton (in Devon), and directs that five gold rings with a tiger engraved thereon be made, one to be given to each of the overseers of his will, namely, to

"John Fortescue of Spurleston, my father;

"George Davey of Claveley;

"John Fortescue of Woode;

"John Fortescue of Fallapitt, Esquire, and

"Walter Hele of Wollyngton."

He leaves his elder brother John Fortescue his executor.

This elder brother died in the year 1602,³ leaving his eldest son, John, twenty-two years old at his father's death. His second son, Edward, is described in his father's will as "a prisoner at Litchbourne" (Lisbon?). John, born 1580, only survived until 1609, when he left his son and heir, also John, aged 2 years.⁴ Of this John Fortescue, who lived during the great Civil War, we have some particulars preserved in the "Composition Papers." He was a Royalist, and was obliged to compound for his estate for 202*l.*, but appears afterwards to have joined the Parliamentarians; for there is a certificate, dated April 24, 1649, signed by Fairfax, of his having been a "Lieutenant-Colonel of Reformadoes in Sir James Smythe's Brigade, and came off upon the articles of Truro."

He in his turn died, and left, with other children, a son and heir Edward,⁵ who, in 1667, married Dorothy daughter of Richard Crossing, and died in 1702, having had three sons, and five daughters.

¹ Pedigree, Harl. MS. 1538, fol. 87.

³ I. P. M.

⁵ Stemm. Fort.

² I. P. M., p. 21.

⁴ I. P. M., Composition Papers, and Biograph. Brit., 2000.

It is recorded of this Mr. Fortescue of Spridlestone,¹ that he caused to be planted near to the churchyard of his parish of Brixton, in the year 1677, a fine grove of elms, for the purpose of their being in due time sold for the benefit of the poor. A stone placed on the spot bears this inscription: "This colony of elms regularly disposed into walks, was planted in November, 1677, by Edward Fortescue of Spridlestone, Esquire, churchwarden, with the approbation and contribution of the majority of estated parishioners, to the intent that when perfect in growth and sold lands may be purchased with the money for relief of the poor of this parish, and that posterity reaping the advantage of our benefaction, may be encouraged to provide for more succession by planting others in their place."

We are told by the historian of Devonshire that several of these trees have from time to time been blown down by the wind and sold, and that in the year 1819 sixteen of them were cut down in fulfilment of the wish of the planter, and produced a sum of 92*l.* 2*s.*, which was funded for the poor, "as land cannot legally be purchased," and their places were ordered to be filled with young trees. The following lines were copied from the stone in 1796:—

"May Mithridate's spirit still affright,
Such as our living gallery's dispart,
Cleones and Agamemnon's fate
Seize on such as think not sacred w^t. is bate,
And enemies, deemed to poor, to Church and State."²

The sons of Edward Fortescue died unmarried, and the estates passed to the youngest daughter Rebecca Fortescue. She married George Fortescue of Tavistock, younger brother of Henry Fortescue of Buckland-Pilleigh, who by her had a son John, of Bampton in Oxfordshire, who inherited that estate upon the death, in 1752, of his cousin Mary daughter of the Right Honourable William Fortescue Master of the Rolls, and who, in right of his mother the heiress of Spridlestone, succeeded to the latter property also—he had no issue, and both the properties passed at his death to his sister, Rebecca Fortescue.

Thus it appears that the elder line of the Spridlestone family, which began with John Fortescue the younger, third son of William Fortescue of Wimstone, failed in the male line upon the death of Edward Fortescue in 1702.

Rebecca Fortescue, who succeeded to Spridlestone, married Caleb Inglett, Esquire, of Chudleigh, and was succeeded at Spridlestone by her son Richard, who took the name of

¹ Lysons' *Devon*, Part ii. p. 75, and from Brixton Register in *Stemmata Fortescuana*.

² *Stemmata Fortescuana*. A very obscure doggerel! the note says "it was copied as exactly as possible" from the Register.

Fortescue, and was succeeded in his estates by his only son, John Inglett Fortescue,¹ who, in 1785, sold both Spridlestone and Buckland-Filleigh estates.

The purchaser of Spridlestone was Mr. Lane of Coffleet, and the old mansion of the Fortescues is now inhabited by a farmer.²

¹ Lyfons' Devon, ii. 73.

² See Monuments in Buckland-Filleigh Church, and Fortescues of Buckland-Filleigh in this work, for further particulars.

FAMILY OF COOKHILL, WHEATLEY, AND ALVESTON MANOR.

NICHOLAS FORTESCUE, 2nd son of — KATHERINE, dau. of ROBERT
JOHN FORTESCUE of Spridleston, SKINNER, of Shelfield, War-
by ALICE COCKWORTHY; was wickshire.
Groom Porter to HENRY VIII.;
died 1549.

WILLIAM of Cookhill and Wheatley, — URSULA, dau. of RICHARD NEWPORT.
died Jan. 6, 1605.

(1) SIR NICHOLAS of Cookhill, Chamberlain of Exchequer 1624; d. 1633. — PRUDENCE, dau. of WILLIAM WHETLEY, of Norfolk.

(2) JOHN of Cookhill and Wheatley, cir. 1663. — JANE, dau. of — D'EWES of Welbourne, who died 1674.

(1) WILLIAM. — JANE, dau. of SIR JOHN WILDE, Worcester-shire.

(2) FRANCIS. — FRANCES, dau. of SIR JOHN PEYTON, co. Oxon.

(3) EDMUND. — FRANCES, dau. of LORD BRYDGES CHANDOS.

(4) NICHOLAS, Knight of Malta.

(5) JOHN.

MAR — NICHOLAS LEWIS, of Wales.

PRUDENCE.

JOHN of Cookhill, b. 1623, d. 1692.

ALIECA, b. 1628, d. 1664.

FRANCIS.

(1) NICHOLAS, disinherited by his father; no issue.

(2) WILLIAM, of Cookhill, d. 1706.

KATHERINE, dau. of SIR RICHARD BRAUNE.

MARY.

FRANCES.

TERTIA, — CHARLES KNOTTESFORD.

PHILADELPHIA.

FRANCIS, a Roman Catholic Priest, died at Douay.

ARABELLA, ob. 1732.

JANE, died 1739.

JOHN of Cookhill, — THEODOSIA, dau. of HUGH BRAUNE
ob. 1757. of Bridgetown, b. 1689, d. 1764.

(1) JOHN, Captain R.N.; b. 1727; d. 1808.

FRANCES, d. of MAJOR NANTON of Antigua, d. 1780.

(2) WILLIAM; no issue; d. 1774.

(3) CHARLOTTE, died unmarried.

(4) THEODOSIA, b. 1752, d. 1823. — Rev. W. WILLIAMS.
A daughter.

(5) FRANCIS, mar. 1st, to MARY KNOTTESFORD; died S.P. 2dly, FRANCES TREHEARNE, d. 1822.

(6) CHARLES, Rector of Roufelinch; died S.P. 1806.

(7) HUGH, died unmarried.

JOHN, born 1747; died 1825. — MARY GLOVER.

FRANCES, born 1761; died 1793. — Rev. J. MORGAN.

Leaving issue.

FRANCIS, in Holy Orders; took the name of KNOTTESFORD; b. 1772; d. 1859. — MARIA, dau. of Rev. GEORGE DOWNING.

JOHN, — M. WALKER. died 1868.

HENRY, — JULIA RICHARDSON; died 1876. 2nd, FRANCES SANLEY.

MARY, — J. YOUNG. Children.

2 daughters.

(1) FRANCIS, born 1806; died S.P. 1818.

(2) FRANCES CATHERINE, born 1808; died 1873.

Rev. J. DEWE.

(3) GEORGE DOWNING, born 1814; died 1826. S.P.

(4) MARIA MARGARETTA, b. 1816.

Rev. F. S. JACKSON.

FRANCES ANNE, dau. of ARCHDEACON SPOONER, 1838; d. 1868.

(5) EDMUND BOWLES KNOTTESFORD FORTESCUE, in Holy Orders; b. 1816; d. 1877.

GERTRUDE, dau. of Rev. SANDERSON ROBINS, 1871, 2nd wife.

3 sons and 3 daughters.

4 daughters.

EDWARD FRANCIS KNOTTESFORD FORTESCUE of Alveston Manor House, b. 1840.

— ALICIA MARGARETTA, d. of Rev. J. TYRWHITT, 1870.

MARY, — G. A. MACIRONE, Esq. born 1841; died 1879.

JOHN, b. 1843; d. 1864, S.P.

LAURENCE, — EMILY, d. of J. R. RUSSELL, Esq. born 1845.

GEORGE, — ELIZA, dau. of Rev. J. BLATCH. b. 1847; married 1875.

VINCENT, b. 1849; in Holy Orders.

CHARLES NINIAN, born 1855; died 1855.

FRANCES GABRIELLA, born 1871.

MARIA JOHANNA BAPTISTA, born 1873.

JOHN NICHOLAS, born 1874.

FAITHFUL EDWARD, born 1878.

CLARA MARY KATHERINE, born 1872.

ADRIAN HENRY, born 1874.

GERTRUDE RAPHAEL, born 1875.

CHAP. IV.

The Fortescues of Cookhill and Wheatley.

UPON the failure of the elder line of Spridlestone, as above described, that which sprung from Nicholas, a younger son of John Fortescue of Spridlestone by Alice Cockworthy, becomes the senior house. The pedigrees for the most part make Nicholas, the Groom Porter, and ancestor of the Fortescues of Cookhill, to be the second son of the aforefaid John.

The pedigree in the Visitation of Worcester¹ in 1569, assigns to John two sons named Nicholas—the first the Groom Porter, being by a nameless wife; the second Nicholas being by “the dau. of Skinner,” second wife of John.

In the Arms and Pedigrees of Devon Families² two sons Nicholas are recorded, one as legitimate, and the other as “bastard sonne.” In like manner, the Visitations of Surrey, in 1530, 1572, 1623,³ describe one as “base son,” annexing his arms, which are those of Fortescue with a bordure to the shield.

We may observe that Louis Fortescue, the judge, making his will in 1543, during the lifetime of both the Nicholases, leaves to his Brother “Nicholas,” without the designation of the elder or the younger, “four marks in gold to make a cross for his wife,” as if he acknowledged only one brother with that name.

There is scarcely a doubt, however, of the fact that John of Spridlestone had two sons Nicholas;⁴ because there are extant two wills, one dated in 1546, and proved in 1550, made by Nicholas Fortescue of “Spridlestone,” mentioning his wife Elizabeth, his elder brother Richard, and his younger brother Lewis; another, dated in 1544, and proved in 1549, by “Nicholas Fortescue Groom Porter of the King’s Most Honourable Chamber,” made on the occasion of his “being appointed to attend the King’s Grace in a voiage Royall into France.” His wife Katherine is named, and a son William; and Mabell and Jane, his daughters, to each of whom he leaves forty pounds, “to be delivered to her at the day of her marriage, so that she be ruled and ordered in her saide marriage by my saide wife her mother.” He bequeaths to his son “his manor of Wytheley, Co. Worcester,” after his wife’s death. The will is given in the appendix to this chapter.

¹ Harl. MS. 1566. Visit. of Worcester.

² See Harl. MS. 1538, fol. 87.

³ Harl. MS. 1561, fol. 14.

⁴ Two brothers with the same name often occur in old documents.

Now, although there is no allusion here to Spridleston, or to any brothers, yet as the Groom Porter is everywhere, with a single exception,¹ called son of John of Spridleston, we must believe him to be such, and consequently that he was brother to the other Nicholas, who in his will styles himself "of Spridleston."

The Groom Porter, styled in several documents *Sir* Nicholas, married Katherine, daughter of Robert Skinner, Lord of the Manor of Shelfield in Warwickshire.²

In 1537, 29 Henry VIII., he was appointed Keeper of the Park of Malwyke under the Lord Denbighe.³

He, for his services to Henry VIII., received from that king, in the thirty-fourth year of his reign (1542), on the dissolution of the religious foundations, a grant of the lands of the Nunnery of Cokehill,⁴ in Cookhill and Church Lench, in Worcestershire, situated on the range of hills dividing that county from Warwickshire, a few miles west of Alcester. "These lands," says Nash, writing in 1782, "Henry the Eighth gave to his servant Nicholas Fortescue ancestor to the present Captain Fortescue, who was one of those that went round the world in the Centurion."⁵

I was informed by the lineal descendant and representative of Sir Nicholas, the Rev. Edward Knottesford Fortescue, Dean of Perth Cathedral, writing in 1864, that the manor and estate remained in his family for eight generations, until the time of John Fortescue, who married Miss Mary Glover, who sold the property early in the present century. "The old house is now (1864) partly used as a farm house, and traces of the walks and gardens still remain."

At the same time with this grant Sir Nicholas received another in the parish of Campden, in Gloucestershire, very near to where, a century before, Chancellor Fortescue had bought his estate of Ebrington. This was also part of the property of the Cokehill nuns, and was called in consequence, Nun-heys,⁶ from "hai," a hedge, park, or inclosure. All these grants were to "Nicholas Fortescue, and Catharine his wife, and to the heirs male of the said Nicholas." These lands were held of the king by knight's service in chief.

There is a warrant of the year 1544, "for the delivery of an allowance of ten shillings a-day to Nicholas Fortescue Groom of the King's House,"⁷ to which Sir Nicholas's signature is attached.

Sir Nicholas, in the 35th Henry VIII., 1543, bought from Maude Lane, the manor

¹ Buckland-Filleigh MS. Pedigree, which absurdly makes the Groom Porter to be the son of Sir John of Punfborne.

² Ped. in Proofs of Sir Nicholas.

³ Patent Rolls, p. 2.

⁴ Nash's Worcestershire, vol. ii. p. 8.

⁵ This Captain John Fortescue of the Royal Navy, who died at Cookhill, May 9, 1808, was buried in a vault beneath Cookhill Chapel. See "Genealogist" for October, 1878, p. 117.

⁶ Rudder's Gloucestershire, p. 322.

⁷ Add. MS. (B. M.) 5753, p. 64.

Nich Fortescue

Sir Nicholas Fortescue, Chamberlain of the Exchequer, Died A.D. 1633.

Fortescue

Sir John Fortescue - Aland first Lord Fortescue of Credan, Died A. D. 1746.

23^d June 1736

*Received the full contents of
this order*

Fortescue

Right Hon^{ble} William Fortescue, Master of the Rolls, Died A.D. 1749.

and estate of Whethele, or Wheatley, in Warwickshire near to Cookhill. He died August 28, 1549 (being the same date as that of a codicil of his will), leaving his son and heir, William, aged nine years.¹

From an entry in the Court of Wards, it appears that the preferment of Groom Porter was granted to Henry Whelar, Gent., one of the Grooms of the King's Chamber, who granted his interest to Katherine Fortescue, widow, mother of the ward, and that the "Ward and marriage of William Fortescue," her son, was, together with the land descending, sold to the said Katherine for 20*l*.

This William, who married Urfula Newport, in compliance with the will of his brother-in-law Walter Newport, dated 34 Elizabeth (1592), which bequeathed a sum of money for the purpose, settled a rent charge of 20*l*. a-year for ever out of his manor of Wetheley for a school for the poor at Awfeter (Alcester).²

William Fortescue died January 6, 1605.

An inquisition post mortem, taken July 24, 1607,³ finds that he died intestate, leaving his wife Urfula Fortescue surviving. He had two sons, Nicholas and John, and a daughter, Dorothy. Each of the sons inherited a portion of the landed estates of their father, and both appear to have lived at Cookhill.

The eldest, Nicholas,⁴ afterwards Sir Nicholas, called in the Composition Papers "son and heir," was resident at Cookhill in the year of his father's death, a document being preserved in the State Paper Office relating to some armour found in his house there in November of that year, the month of the famous Gunpowder Treason.

It will be remembered that Cookhill was in a part of the country with which the conspirators Catesby and Winter were connected, and to which they and their associates betook themselves on the failure of the plot.

Fortescue declares that the armour in question had been in the house five years, "that he had not seen Winter for eight years," and that he had not been summoned to join the rising.⁵

There is also a letter from Chief Justice Anderson and Sheriff Warburton to the Privy Council, dated March 26, 1606, complaining "that Mr. Fortescue of Warwickshire, though summoned to appear before them, had not come forward to be examined."

These suspicions, to which probably every Roman Catholic in that part of England was more or less exposed in that time of public alarm, do not appear to have hindered his advancement, which, according to the writer in *Biographia Britannica*,⁶ he owed in a great measure to his own merits.

¹ Dugdale's Warwickshire, p. 591.

³ I. P. M.

⁵ Ibid. p. 253. Cal. State Papers, Tom. 1603-10, p. 304.

² Dugdale, Warwick, p. 543.

⁴ Com. Papers, called "son and heir."

⁶ Biog. Brit., iii. 2000.

"He was a person," says the author, "of so dextrous an address, that when he came into notice he came into favour, and when he entered the Court, had not only the chamber but the closet of a Prince open to him; a gentleman that did much in his person, and, as he would say, 'let reputation do the rest.' He and Sir Edmund Fortescue were always observed so wary, as to have all their enemies before them." We find Sir Nicholas receiving into his house at Cookhill a well-known Benedictine monk of that day—David Baker, born in 1575, who, it is said, "did retire himself into the house of Sir Nicholas Fortescue, and did then zealously continue his second conversion, or attempt upon internal prayer."¹

Early in the reign of James I. he became one of the Commissioners of the Household and Navy. He was knighted by James at either Whitehall or Theobald's,² on the 2nd of February, 1617. He also obtained the office of Surveyor-General of "the king's lands, tenements, and hereditaments" in his own County of Worcester, which, in the year 1624, he resigned in favour of his son Edmund.³ He held at the same time, and until the 21st of May, 1625, when he resigned it, the office of a Chamberlain of the Exchequer,⁴ to which office he had been appointed on the 26th of February, 1618, upon the death of Sir John Points.⁵ His colleague, the other Chamberlain, was Sir Nicholas Carewe. The grant, which is extant, confers upon him the office for his life, "with all its emoluments and rights as fully and perfectly as they were enjoyed by any of his predecessors, namely, Thomas late Lord de la Ware, George Younge, Sir William Killigrew, Sir Walter Cope, or Sir John Points."⁶ It may be remarked that Sir Nicholas is styled in the document "Armiger," and not "Miles;" so that the date of his knighthood given in Nichol's Progresses, viz. February 2nd, 1617, is too early by a year.

In the years 1622 and 1623 we find him actively employed on several special Commissions.

First, in the former year he is a Commissioner with the Keeper of the Great Seal, the Lord Manners, and others, for inquiry into defective titles to lands granted by the Crown.⁷

Again, in March, 1623,⁸ he serves on a Special Commission with the Lord Treasurer (the Earl of Middlesex), and others, to inquire into "the depredations and robberies daily committed on the sea by pirate-robbers, calling themselves men-of-war."

Again, he is on a Special Commission, dated May 9, 1623,⁹ with six others, "To inquire into the discords, discontentments, and sundry misgovernments of the English Colonies and Plantations in Virginia and the Summer Islands;" the preamble reciting that the aforesaid Colonies "are of special importance as being the first foreign Colonies planted by our English

¹ Wood's Athen. Oxonienses, iii. 11.

² Cal. State Pap., tom. 1623-25, p. 364.

³ See his Patent in Ashmole MS.

⁴ Rymer, vii. part iii. p. 247.

⁵ Ibid. vii. part iv. p. 63.

⁶ Theobald's in Nichol's Prog. James I., iii. 526.

⁷ Cal. State Pap., 1625-26, p. 109.

⁸ Patent, Ashmole MS.

⁹ Rymer, vii. part iv. p. 46.

nation, and tending to the propagation of God's Glory, and Christian Religion, and the enlargement of the dominions of our Crown."

And, at the same time, he is one of the Commissioners "to inquire into the state of Ireland, and to consider all petitions and complaints of grievances, and all projects concerning matters that may arise within our Realm of Ireland."

He married Prudence, daughter of William Wheteley of Holcome in Norfolk, Esquire, sometime Prothonotary of the Common Pleas, by whom he had issue five sons, namely,—William, his son and heir, born in 1603,¹ died in January, 1649;² second, Francis, of the Inner Temple; third, Edmund, Sewer to the Queen, and successor to his father as Surveyor-General of Crown Lands; fourth, Nicholas, a Knight of Malta; fifth, John; and two daughters,—Martha, married to Nicholas, son of Sir Edward Lewis, of The Vanne, in Glamorganshire; and second, Prudence.³

The funeral certificate in the College of Arms, records that "The Right Worshipfull Sir Nicholas Fortescue, of Cookhill, in the Co. of Worcester, Knight, departed this mortal life, at his lodging in Fetter Lane, London, the second of November, 1633; and was thence conveyed to his house aforesaid, and interred in a chapel belonging to the said house the twentieth of the same month."

The chapel was that belonging to the old nunnery before mentioned.

"Near the tomb of Isabel, Countess of Warwick,"⁴ says Nash, "lays the body of Sir Nicholas Fortescue, Chamberlain of the Exchequer, who was beloved, and died lamented."

The following letter from Sir Nicholas to a friend in the country, Sir William Pitt, at Hartley Westpall, giving him the news of the day, has survived:—

Sr

⁵The returne of yo^r carrier is foe suddaine as yo^u may marvayle if you sometymes misse of aunfu^r, for if I should drive forth as oftentyme I doe he would be gone afore my returne, but yo^r laste & this by chaunce found me & you shall have such an accounte as in this shorte tyme I can give yo^u. The reason y^t noe more common souldio^rs were slayne was for that at the first charge in playne termes they ranne foe beastly away as some drowned themselves & Captaynes & Coronell Sp^ry was foe forefaken as he was driven to stand to it withe very few, foe you have already heard of that busines as much as I dare send you for there is noe other messenger come & for my parte I give little credit to o^r towne talke/ I can send you nothings of that is done at Wyndfor as yeat for none of them are retourned only we have it heere that my lord of Holland is very speedyly to goe wth 2 or 3000 men to the Duke & the Earle of Carlile is to goe to the duke of Lorrayne as it is heere sayd to accomodate the Businesse betweene the King of Bohemia & the Emperour. We heare that that duke Rohun

¹ I. P. M. Wills.

³ Funeral Certificate, see Appendix.

⁵ Brit. Mus. Add. MS., fol. 106.

² Comp. Papers.

⁴ Nash, Worcestershire, ii. p. 8.

Family of Cookhill and Wheatley.

hath gotten an army of 18000 of the religion in Languedoc and that the French King will finde some trouble there as well as in other places by the duke Memorancie and other his discontented lords who take advantage of these troublefome tymes, we have a confident reporte that the French king is dead & many heere say that his brother will proove then he [*sic in orig.*]. But I beleve it not, it is true he hath beene very sicke & hath had a swellinge in his tongue & throate that hathe much vexed him. Touching the shorteninge of the kings progresse methinkes it should not be very troublefome to you for he comes noe neerer you then Aldershot, his courte is small & removes but shorte and not often as you may see by this note enclosed/ Sr Ihon Wolstenholme is in wont of towne but soe soone as I shall meete wth him I will acquainte him wth what yo^u have written. In the meane time returning my hartiest salutations to you & yo^r company I reſte

Yo^r faithfull & ever assured

Friend

NICH : FORTESCUE.

Fetterlane, this
20th of August
1627.

Addressed To the Right worth my
very deare Freend
Sr Willm Pitt Kn^t
at Hartely Waspell
these be dd
wth speed.

By the inquisition post mortem,¹ held November 8, 12 Car. I., it appears that Sir Nicholas died seized of lands in the manors of Wheatley and Cookhill. His eldest son William, styled a "Popish recusant,"² succeeded to the former manor, which was afterwards sequestered for his recusancy. He is also called "of Cookhill."³ He married Joane⁴ daughter of Thomas Wilde, of Glasfely, in Shropshire, leaving by her three sons and one daughter, and died January, 1649, aged 46 years.⁵

There is no record of any descendants from the sons of this William Fortescue, nor from any of his brothers.

Nicholas Fortescue, fourth son of Sir Nicholas, the Chamberlain of the Exchequer, became a Knight of St. John of Jerusalem; he was a devoted Roman Catholic, and about the year 1637, having been commissioned by Queen Henrietta-Maria consort to Charles the First to endeavour to revive the "English tongue" of that order at Malta, he petitioned the Grand Master, Lascaris, for admission to its ranks, praying him to appoint commissioners to examine the "proofs of his nobility," and to hear his proposals for restoring and giving life to the

¹ I. P. M., p. 17.

⁴ Funeral Certificate.

² Comp. Papers.

⁵ I. P. M. Wills, Comp. Papers.

³ Comp. Papers.

English Tongue. His request was granted, and the commissioners reported favourably to the Grand Master and Council on the projected revival, but seemed to doubt the possibility of raising the sum required to meet the expected outlay, namely, twelve thousand crowns.

They find that Fortescue had established "his nobility to their satisfaction," and recommend that he be admitted to the order with the rank of "Cavaliere," and say that they have named him as a novice to await the proper time for taking the habit, and for making the prescribed profession; allowing him meantime to wear, hung from his neck, the golden cross of the order, both within and without the convent, subject to the approval of his Holiness Pope Urban the Eighth, and of Cardinal Barbarino, Protector of the Order.

This report is dated the 26th of February, 1638.

In January of the following year (1639) he appears to have presented himself to the Grand Master; for we find a letter of recommendation and introduction in his favour from the Pope, and another from Cardinal Barbarino, both addressed to the head of the order, Lascaris, who, with his Council, approved and confirmed the report of the commissioners in the next month (February 25).

The negotiation never advanced beyond this stage. The spirit of the time in England had little sympathy with an institution whose usefulness had passed away with the object for which it was founded, and the unfortunate queen of Charles the First had soon more pressing affairs to think of. Pozzo,¹ the Historian of the Order, thus closes his account of the transaction:—

"Tutte queste cose furono dal Gran Maestro e Consiglio approvate e confermate sotto il dì 25 di Febbraio, ma sì come il trattato no haveva maggiori fondamenti ch' in deboli e lontane speranze, così in breve svani, tanto più ch' occorsero di poi le gravissime turbolenze d' Inghilterra che posero non solo in conquasso e ruina le cose di Cattolici di quel Regno; ma per l'affettione dimostrata condussero nella catastrofe d' una funestissima tragedia l'istessa casa Reale."

Sir Nicholas took up arms for the king on the outbreak of the great Civil War, and was killed, in 1644, at Preston in Lancashire, according to some authorities,² or at the battle of Marston Moor in Yorkshire, if we follow the statement of Whitaker,³ who says that he died of wounds at the latter place.

"The Loyal Martyrology" contains the following notice under the head of "Loyal Confessors:—" "Sir Nicholas Fortescue, a Knight of Malta (see the justness of the king's cause,⁴ which invited strangers from so far countries to take his part), was slain in Lancashire in defence of the Royal cause."

¹ Pozzo, *Historia della sacra Religione de San Giovanni di Malta*, 1 vol. 4to. Venezia, 1715.

² Winstanley, *Loyal Martyrology*, sect. xxxviii, p. 68. Dod's *Church History*, iii. p. 58. London, 1665.

³ Whitaker's *Craven*.

⁴ It does not follow that a Knight of Malta must have been in that island.

The original document containing "the proofs" of Sir Nicholas' "nobility" still exists; its present possessor is Mr. John James Watts, who, with much kindness, has allowed me to inspect it, and to have it copied in facsimile. It is a parchment roll, with a knight on horseback emblazoned in colours at the top, with the following inscription:—

"Hæc effigies representat Nobilissimum Virum Dominum Richardum a Forti-scuto equestris ordinis, qui comitatus est Gulielmum Normanniæ Ducem dictum vulgo Conquestorem in expeditione Anglicana, et propter res ab eo fortiter ac fæliciter gestas, ibidem a dicto Conquæstore donatus est Castello in Comitatu Devonienfis dicto Winston cum agris adiacentibus ubi primo sedem posuit anno salutis 1069."

There is also a drawing of a seal¹ of which a woodcut is given further on, with this inscription over it:—

"Hæc Figura refert figillum antiquum Familiæ Forti-Scutorum nuperrimè repertum a Nobilissimo viro fideli Forti-Scuto de Filly Equitaurato inter numismata Johannis Terdeskhen Belgi, qui habitat Lambheth trans Thamesin Londoni."

The arms of the eight families forming the necessary number of quarterings for "noble" descent are given, namely, 1 Fortescue, 2 Skinner, 3 Newport, 4 Hales, 5 Whetley, 6 Pepis, 7 Skinner (as No. 2), 8 Billing.

A second row of shields for the children of Sir Nicholas Fortescue and Prudence Whetley.

And the descent is vouched by John Talbot Earl of Shrewsbury, and Sir John Fortescue of Salden, who are styled "consanguinii" of Sir Nicholas.

The production of the document at the Papal Court is certified by the signature "Cæsar Columna," dated at Rome, January 1, 1639.

The date of the death of Sir Nicholas is not known, nor is there a record of any marriage.

John Fortescue, second son of William Fortescue and Ursula Newport, was, equally with his elder brother Sir Nicholas, styled of Cookhill and Wheatley. He took an active part in the great rebellion as a Royalist leader, for which he was heavily fined by the Parliament, imprisoned, and forced to compound for his estates for 234*l*.² On the 29th of March, 1649, he "took the Act of Abjuration;"³ notwithstanding which we find him soon after the Restoration, in the year 1663, receiving a grant of "the remainder invested in the Crown of the Messuage and Chapel of St. Giles, Co. Warwick, and Cookhill Priory, Co. Worcester, long pertaining to his ancestors;" as well as of other lands granted by

¹ See the woodcut, and particulars of this seal, in the notice of Sir Faithful Fortescue, in Chapter XI. of this volume.

² Compos. Papers.

³ Ibid.

Henry VIII. to Nicholas Fortescue, because he, "the said John Fortescue, has been active in promoting the Restoration, and has suffered for his loyalty."¹ He married Jane,² daughter of — D'Ewes, of Welbourne, who died in 1674. The issue of this marriage was, 1st, John, 2ndly, Francis, who left a son Francis, a Roman Catholic Priest, who died at Douay; and two daughters.³

John, the eldest son, sold the estate of Wheatley, and, having disinherited his eldest son, Nicholas, left at his death, in 1692,⁴ his estate of Cookhill to his second son, William, who married, in 1697, Katherine, daughter of Sir Richard Braune, and died in 1706.

His eldest son, John, married Theodosia Braune, and died in 1758, leaving his son and successor, Captain John Fortescue, who entered the Royal Navy in 1739, and was in Lord Anson's ship, the "Centurion," during his first voyage round the world in the year 1740,⁵ and saw much service under Lord Howe. He died in the year 1808.

His eldest son, also John, sold the estates of Cookhill; and his two sons, John and Henry, leaving no male issue, the elder line of the descendants of Sir Nicholas, who had the grant of Cookhill from Henry VIII., became extinct.

The burying-place of the family for many generations was the chapel at Cookhill. It was restored by Captain John Fortescue, the circumnavigator, who was the last of the family that was buried there.

The representation of the family now devolved upon Francis Fortescue of Alveston Manor House, only surviving son of Francis Fortescue, who was third son of John Fortescue of Cookhill, by Theodosia Braune. The estate of Bridgetown, with the manors of Alveston and Teddington, were bequeathed to him by his father's cousin, John Knottesford; and on his coming of age, he, by a condition of the will, took the name of Knottesford.

Mr. Francis Knottesford-Fortescue, born in 1772, married in 1805, Maria, only daughter of the Rev. George Downing, Rector of Ovington and Prebendary of Ely Cathedral. He died in 1859, and was father of the late Rev. Edward Bowles Knottesford-Fortescue, Dean of Perth Cathedral, who resumed Fortescue as his last name.

Dean Fortescue married first in 1838, Frances Anne, fourth daughter of Ven. Archdeacon Spooner, Rector of Elmdown. That lady died in 1868, having issue by her husband, 1. Edward Francis, who succeeded his father; 2. Mary; 3. John; 4. Lawrence; 5. George; 6. Vincent; 7. Charles Ninian, who died in 1855. He married secondly in 1871, Gertrude, daughter of the Rev. Sanderson Robins, Vicar of St. Peter's, Isle of Thanet, and by her had 1. Clara Mary Katherine; 2. Adrian Henry, and 3. Gertrude Raphael. Dean Fortescue died August 18, 1877, aged sixty-one years, and was succeeded by his eldest son Captain

¹ Cal. State Papers, 1663-64, pp. 49, 111, 133.

³ Rev. E. B. Knottesford-Fortescue's Pedigree.

⁵ The following information is from Rev. E. B. Knottesford-Fortescue.

² Wills.

⁴ Wills.

Edward Francis Knottesford-Fortescue, born in 1840, a Captain in the army, Hon. Major of the 1st Warwickshire Militia, and a Justice of the Peace for Warwickshire. Alveston Manor House, of which he is the proprietor, was formerly called Bridgetown House; it is close to Stratford-on-Avon in Warwickshire, about twenty miles distant from Cookhill. The house was built as a hospital for the sick monks from Worcester, and was sold upon the dissolution of that monastery.

Captain Fortescue married in 1870, Alicia Margaretta, daughter of the Rev. J. Tyrwhitt, Vicar of Whitechurch, and Prebendary of Salisbury. They have issue, Frances Gabriela, born 1871; Maria Johanna Baptista, born 1873; John Nicholas, born 1874; and Faithful Edward, born 1878.

From the foregoing descent it appears that Captain Knottesford-Fortescue, is now the representative of the eldest existing line of the Fortescues, the branch which he represents being senior to all the others in the male line of descent.

APPENDIX TO CHAP. IV.

A.

The Will of Nicholas Fortescue, Groom-Porter to King Henry VIII.

IN the name of God, amen, the ixth day of July in the yere of our Lorde Godd, 1544, and in the xxxvjth yere of the reigne of our Sovereigne Lorde Henry the eight by the grace of God Kinge of Englande, Fraunce and Irelande defendor of the faith and in earthe of the churche of Englande and also of Irelande the supreme hedd, I Nicholas Fortescue grome porter of the Kinges most honorable Chamber being appointed to attende upon the Kinges Majestie in this his graces voyage royall into Fraunce entending to sett in ordre and disposicion such poore substaunce and living as God hath lent me at my departure whatsoever shall become of me do ordeyn, make and declare my last will and testament in manner and forme hereafter following. And first I bequeath and recomende my soule to the handes and will of almightie God my maker and redeemer and my body to the earthe, also I dyvise and bequethe unto Katheryne my welbeloved wife my manor of Wytheley with th'appurtenaunces in the countie of Worceter, and all my landes and tenementes in Wytheley in the same countie for terme of her life. Item I give and bequethe to my sonne William a bason and Ewer of silver and parcell gilt. Item I give and bequethe to Mabel my doughter fourtie poundes to be delyvered to her at the day of her mariage so that she be ruled and ordered in her faide mariage by my faide wif her mother. Item I give and bequethe to my doughter Jane, fourtie poundes to be delivered to her at the day of her mariage, so that she in likewise be ordered by her said mother, And if it fortune any of them to dye before mariage, Then I will that her said portion shall goo and remaine to the survivor of them towardes her better preferment in mariage she being ruled and ordered therin as is aforesaide and if they bothe happen to dye before marriage then I will that my wife shall have and retayne the faide sōmes to her owne use. Item I will that my faide sonne William shall have

after that he shall come to the full age of xxj yeres, foure poundes yerely paide unto hym by my said wife during her life towards his fynding. Also I will that my servauntes William Mylles, Christopher Bankes, John Humfrey, William Oking, William Patefon, Morice Bulle and Markes Wynter being in my service at my departure of this transitorye worlde shall have every of them one yeres wages with the quarter of the yere that I dye in, to be compted one of the iiij quarters of the yere. Also I will that within a convenient tyme after my dethe fyve poundes in redy money be distributed and bestowed emonges poor householders dwelling in Sainct Martyns paryshe besides Charing crosse or elles where by the discrecon of myn executrix. Item I bequethe and give to Margerye Foreman a blacke gowne requyringe her to praye for me. Item I give and bequethe to John Rowland page to the robes a ringe worthe twentye shillings. Item I give and bequethe to my frend M^r. Wentworth, clerke of the kechen M^r. Thomas Worth and M^r. Stephen Darrell and every of them a ring of the price of xiiij^s. iiij^d. for a remembraunce. Also I give and bequethe to my sifter in law Alice Wolmer a ring of the value of xiiij^s. iiij^d. The residue of my goodes and cattalles as plate redy money, juelles, apparell, household stuf, leasses and other goodes, moveable and unmoveable, my debtes paide and my faide legacies and bequestes duely performyd I will, give and bequethe fully and holly to the faide Katherine my wife whome I ordeyn and make my onely executrix trusting verely and also hartely desiring and requyring her in confideracon that I have assured all my hole londes and possession to her for a joynter during her life that she se this my last will and testament in every poynt to be well and truely accomplished and performed, And also that she be loving and naturall to her faide children and myne. And overseers hereof I ordeyne and make my trustie and derely beloved frend M^r. Fitz William gentilman usher of the princes pryvy chamber hartely desiring him to se this my last will and testament fulfilled and executed and to put his helpe and assistance thereunto. And for his paynes therin I give to hym a gelding of the price of five markes. In witnes wherof I have herunto subscribed my name and sette my seale.

NICHOLAS FORTESCUE.

Ultima Voluntas.

In the name of God Amen the xxviiith daie of August in the yere of our Lorde God a thousand five hundreth fourtie and nyne I Nycholas Fortescue grome porter of the Kinges most honorable chamber in th'accomplishment and further declaracion of my last will made the ixth day of July in the yeare of our Lord God 1544 concerning my maner of Wytheley with th'appurtenances specified in my faide will, I will and bequeathe the same with all my landes and tenements in Wytheley to Katheryne my wife so terme of her lyfe, and after her decease to remayne to my sonne William Fortescue and the heyres of his body lawfully begotten and for lack of suche yssue I will the said maner and all and singuler the premisses shall remayne to my doughter Mabell Fortescue and to the heyres of her body lawfully begotten, and for defaulte of such issue I will the faide maner and all and singuler the premisses shall remayne to my doughter Jane Fortescue and to the heyres of her body lawfully begotten, and for defaulte of such yssue I will the faide maner and all and singuler the premisses shall remayne to Master William Fitz-William and to his heires for ever. In prefencia mei Johannis Bell, cle'ci hoc testamentum lectum et approbatum per dictum testatorem unacum codicillo Richard Haywood.

Proved together with a codicil at London on the 27th day of September, A.D. 1549 by the oath of Katherine the relict and executrix in the above will nominated.

B.

*Funeral Certificate, copied from the original in the College of Arms, by T. Planché, Esq.,
Rouge Croix, July, 1864.*

The right worshipfull Sir Nicholas Fortescue of Cookehill in y^e county of Worcester Knight Departed this mortall life at his lodging in Fetter lane London y^e 2^d of November 1633 and was thence conveyed to his house aforefaid and interred in a Chapell belonging to the said house y^e 20th of y^e same moneth. He mar: Prudence y^e Da. of . . . Whetley of Holcome in y^e county of North^h. Esq., sometyme Prothonotary of y^e Co^mon pleas by whom he hath yssue 5 sonnes and two daughters, viz^t W^m Fortescue Esq^{re} his sonne and heire mar: to Joanee Da: of Tho: Wilde of Glaseley in y^e county of Salop Esq^{re} by whom he hath yssue 3 sonnes John eldest sonne about 11 yeares of age, Francis 2nd sonne, William 3^d sonne, and Mary a dau: about 13 yeares of age. Francis 2^d sonne to y^e defunct, Edmund 3^d sonne, Nicholas 4th sonne, and John 5 sonne; all of them as yet vnmarried. Martha eldest Da: to y^e defunct mar: to Nicholas Lewis, 3rd son of Sir Edward Lewis of the Vanne in the county of Glamorgan K^t by whom he hath yssue y^t now lives only Martha a dau. Prudence youngest Da: to y^e defunct as yet vnmarried. The said Sir Nicholas Fortescue did by last Will and Testament nominate Sir Basell Brooke of Madeley in the county of Salop K^t. Frauncis Plowden of Shiplake in the county of Oxon: Walter Brooke of Lapley in the county of Staff: & William Lake of London Esq^{re}. to be his executors. This Certificate was taken by George Owen Rougecroix y^e 29th of November 1633 to be recorded in the Office of Armes and certified to be true by the subscrip^{ti}on of

BASILL BROOKE
W. BROOKE
FRA: FORTESCUE.

SECOND LINE

LEWIS FORTESCUE, 4th
JOHN FORTESCUE of
stone, by ALICE COOK
a Baron of the Exch
ob. 1545.

JOHN of Fallapit, ob. 1595. = HONOUR, dau. of EDMUND SPECCOT of Speccot, or of SIR F. SPECCOT, ob. 1606.
JANE. = GEORGE REYNEL of Malfon.
PETER, living 1543.

(1) EDMUND, ob. 1624. = MARY, dau. of HENRY CHAMPERNOUNE, sister to SIR RICHARD CHAMPERNOUNE.
(2) GEORGE, bap. 1557.
(3) EDWARD, bap. 1560.
... ANNE. = JOHN PLUMLEIGH of Dartmouth, 1567.
MARY. = HARRY LUSCOMBE, 1561.
JANE. = 1st, RICHARD ITALS of Kenedon; 2nd, SIR H. ROLLE.
ANNIS.

(1) HENRY, bap. 1579; died young.
(2) JOHN, bap. 1586; ob. 1649. He mar. 2ndly, ELIZABETH ...
= SARAH, dau. of SIR EDMUND PRIDEAUX. She ob. 1628, aged 44.
(3) FRANCIS, bap. 1579.
(4) NICHOLAS, bap. 1587.
HONOUR, 1st = 2nd to HUMFREY PRIDEAUX, 1600.
MARY, died young.
ELIZABETH,

(1) SIR EDMOND of Fallapit, Knight, bap. 1610; mar. 1633. = JANE, dau. of SOUTH-COTE of Mohun's Ottery.
(2) JOHN, bap. 1614.
(3) THOMAS, bap. 1615.
(4) PETER, Crust, 1617.

SIR EDMUND, Baronet, b. 1642; ob. 1666. = MARGERY, dau. of 5th LORD SANDYS of Vine, Hants.
MARY. = G. SOUTHCOTE of Buckland-Monath, 1654.
JANE, bur. 1641.
CATHERINE, mar. 1652.

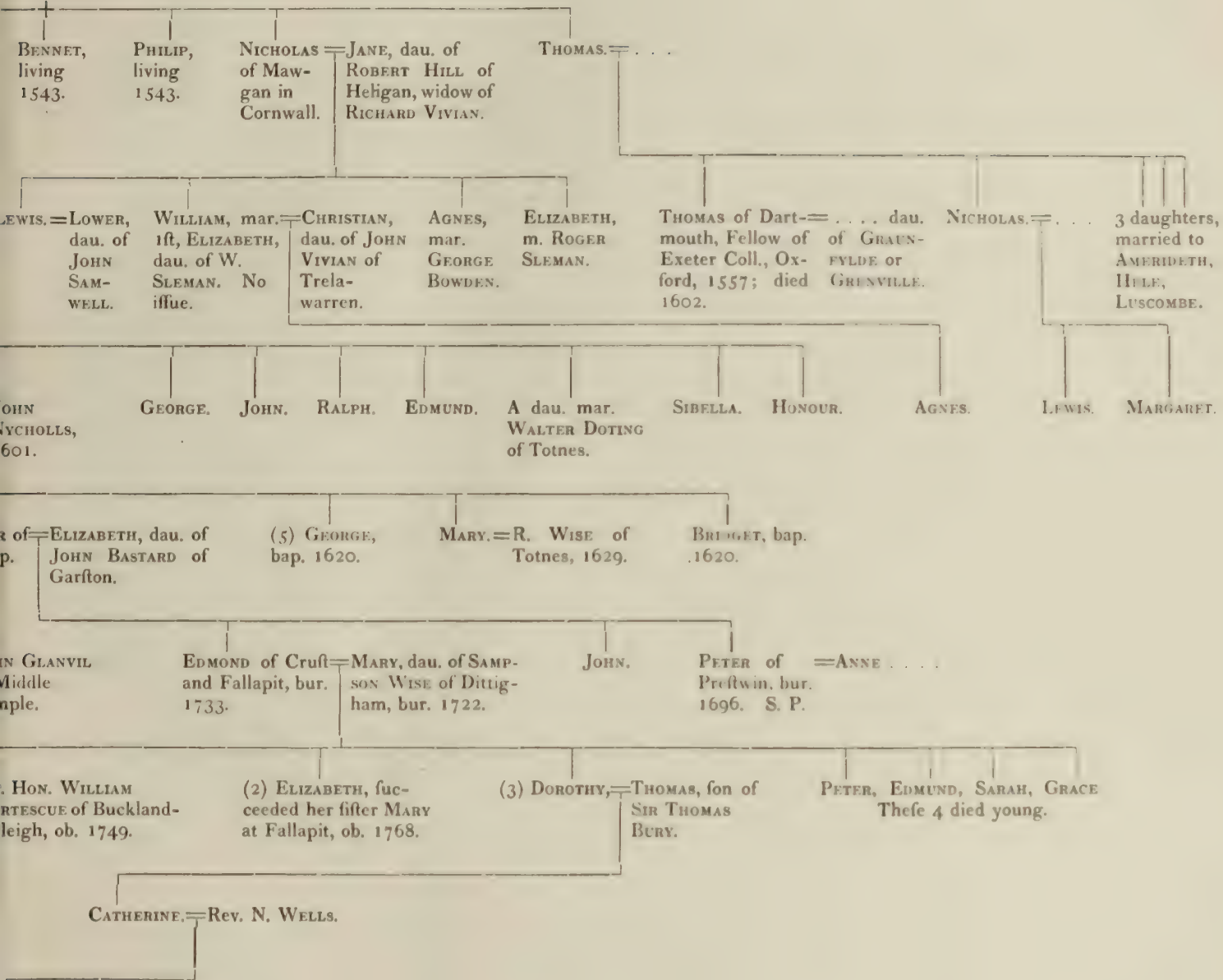
SIR SANDYS, Bart., bur. 1680, Nov. 2. = ELIZABETH, dau. of SIR JOHN LENTHALL.
JANE, d. 1682. = WILLIAM COLMAR of Gomhay.
ELIZABETH.
SARAH, bur. 1685.
(1) MARY, succeeded her father at Fallapit.

MARY, = JOHN SPOONER, ob. S.P. Esq.

EDMUND W.
aunt ELIZABETH
lapit estates
FORTESCUE;
Fortescue Pe

OF FALLAPIT.

n of ELIZABETH,
dle- dau. and heirs
thy; of JOHN
uer, FORTESCUE
of Fallapit.



s succeeded his great
FORTESCUE in the Fal-
and took the name of
t issue. (See the Wells
ree.)

CHAP. V.

The Fortescues of Fallapit, second line.

WE now return to Louis Fortescue, third and youngest son of John Fortescue of Spridleston by Alice Cockworthy, and brother to Nicholas the Groom Porter, and to Anthony, Marshal of the army in Ireland. He was bred to the law; and so distinguished himself that, in the autumn of 1536, he was appointed a Reader of the Middle Temple,¹ where he had studied; and on the 6th of August, 1542,² in the thirty-fourth year of Henry VIII., he was made fourth Baron of the Exchequer, *quamdiu se bene gesset*.³ His salary was 46*l.* 13*s.* 4*d.* per annum.⁴ Baron Fortescue lived about three years longer, dying in the autumn of 1545. His arms were placed in the Hall of the Middle Temple, in the third window towards the north.⁵ He married Elizabeth Fortescue, daughter and sole heir of John Fortescue of Fallapit, and thus acquired that property which descended through his son John to the last male possessor of that estate, and afterwards, as will be seen, through an heiress of the present proprietor. By his will dated 26th of January, 1543, and proved on the 23rd of October following, after bequeathing his lands in Plympton and Morleyth, he leaves "six of my best feather beds to my wife, with appurtenances, for her life, if she live sole, and at Fallapit. To my brother Nicholas four marks in gold," which his wife is to make into a cross, "in what fashion to her it shall seem meet."⁶

The issue of Baron Fortescue was six sons:—John, Peter, Thomas, Benet, Philip, and Nicholas styled in *Stemmata Fortescuana*, "of Mawgan in Cornwall;" and four daughters, Anne, Joan or Jane, Mary, and Anne, all living in 1543.⁷

The eldest son, John, inherited Fallapit, and so preserved to the Fortescue name for several generations that ancient feat.

He married Honour, daughter of Sir T. Speccot,⁸ of Speccot, and died December 25th, 1595, aged 70 years, leaving issue three sons and four daughters. He was buried in East Allington Church, where two "very fine effigies in brass" mark the tombs of his wife and himself.⁹

¹ Foss, *Judges of England*, v. p. 181.

² Dugdale, *Chron. Series*, p. 86.

³ Patent Rolls.

⁴ Exchequer Tellers Rolls.

⁵ Dugdale, *Chron. Series*, p. 86.

⁶ Will, *Doc. Com.*

⁷ Wills and Pedigrees, *Stem. Fort.*

⁸ Mr. Fortescue's Letter; *Stem. Fort.* makes her daughter of Edmund Speccot.

⁹ Church Heraldry of Devon, by Urban de Valencourt, *Kt.*, p. 7.

Family of Fallapit, second line.

There is a portrait of him at Fallapit House, with the following inscription :—

“ John ffortescue fil. Ludovici unius Baron. ex Elizabethâ fil. et hæred. John ffortescue de ffallapit de stirpe Henrici ffortescue Cap. Justic. Hiberniæ.

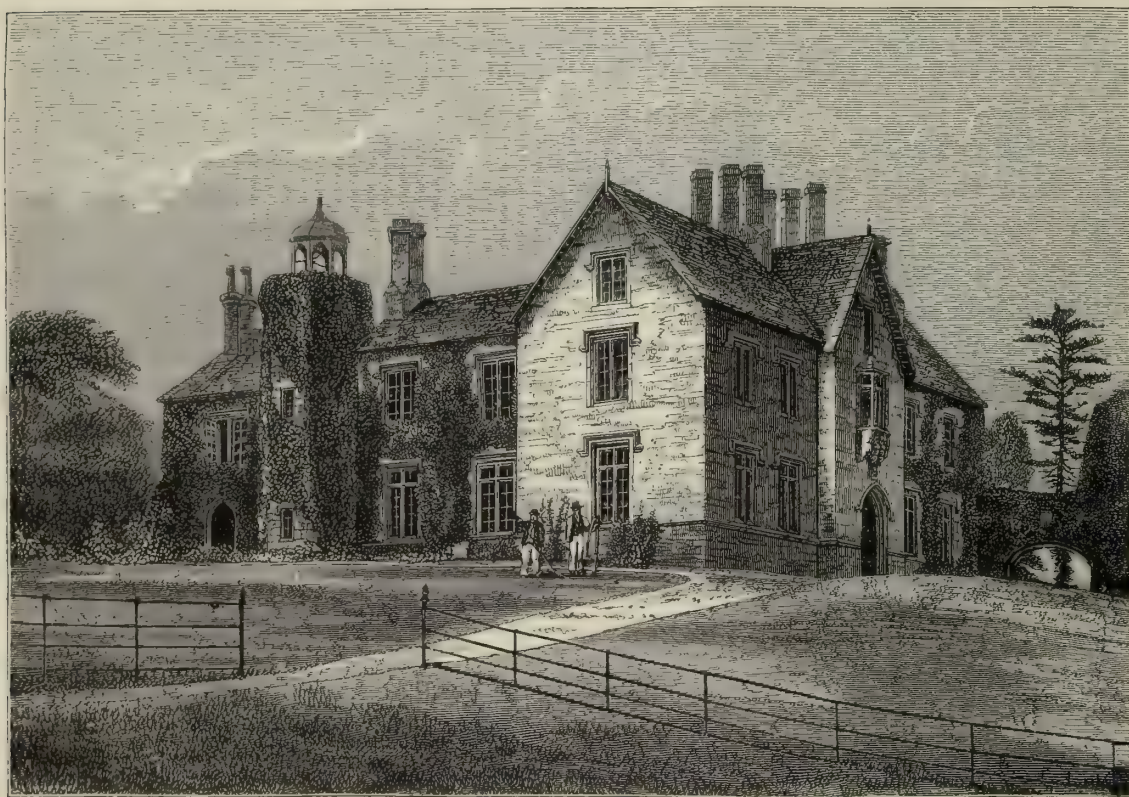
Anno Dom. 1598. Æt. suæ LXX.

This day brave,

To-morrow in grave.

Spero in Deo.”¹

Thomas Fortescue, a younger brother of the above John, married, and left issue two



FALLAPIT HOUSE.

sons, one of whom, Thomas, who styles himself “of Dartmouth,” in his will dated 10 November, 1595, and proved 1 June, 1602, leaving bequests to Exeter College, Oxford, to the poor of various parishes, and for an almshouse. To several friends he leaves “rings with the following posies:” “Mortis amici pignus,” “Be careful to please,” “Live in hope.”

¹ Mr. Fortescue's Letter.

His "wife's ring or signet of arms, being the arms of Grenfyldes," (probably the old form of Grenville), he leaves to his cousin, Edmund Raynell. This Thomas Fortescue does not appear to have left any issue.¹ He died in 1602.

John Fortescue of Fallapit, who died in 1595, was succeeded by his eldest son, Edmund, born in 1552. He was High Sheriff of Devon in 1623. He married Mary, daughter of Henry Champernoune, and sister of Sir Richard Champernoune, of Modbury Court,² where this ancient family lived for many generations, from the reign of Edward II., in great splendour. By her he had four sons, viz. Henry, who died young, born A.D. 1594; John, his heir;³ Francis, and Nicholas; and three daughters, viz. Honour, Mary, and Elizabeth.

He died in July, 1624. There was an inquisition post mortem held at Kingsbridge, on the 20th of the following October, by which it appears that Edmund Fortescue was seized at his death of the lands of Great Vallepit in East Allington, of the Manor of Lamfide, in the same parish, and of the advowson of the Church of East Allington, of the Manors of Aishrudge and Dorsley, in Harberton; of the Manor of Preston, in Blackawton; of the Manor of Blagdon, in West Allington, "with many others."

He was buried in East Allington Church, where is also the grave of his wife Mary, who died in 1611, with this inscription:—

" Here lieth a wight of worthy descent,
Whose los for her worth the people lament;
The Rich for her love and kind affabilitie,
The Poor for her alms-deeds and Hospitalitie.
ob. 28 Jan. 1611." ⁴

Edmund Fortescue was succeeded by his son John, who married Sarah, daughter of Sir Edmund Prideaux, Baronet, of Netherton, who died, aged 44, in 1628, by whom he had issue five sons, viz. Sir Edmund, John, Thomas, Peter, styled "of Cruft," whose son eventually succeeded to Fallapit,⁵ and George; and two daughters, Mary and Bridget.

This John Fortescue lived in the troublous times of the great Civil War. He took arms against the Parliament, but having surrendered himself to Sir Thomas Fairfax, was, in the year 1643,⁶ committed a prisoner to "the Clinke," or Winchester House, along with his son Sir Edmund. It appears that another son, Peter, had been previously imprisoned, for there is an order in the Commons Journals at this time, directing that Peter Fortescue shall be removed to Winchester House, and shall have liberty to attend his father. Both father and son were soon after exchanged for two Parliamentarians.

¹ Wills.

² Handbook for Devon, 59.

³ I. P. M.

⁴ Polwhell's Devon, iii. 466. Comp. Papers.

⁵ Stem. Fort.

⁶ Journals of House of Commons (1642, 1643), vol. ii. 903, 909; vol. iii. 203, 212.

In 1645 he obtained from Fairfax an order for the protection of "his home at East Allington from plunder," and petitioned the Committee to prevent the falling of his timber there. His previous "delinquency," however, was not altogether forgiven, but appears to have been strictly investigated, and he was forced to compound for his estates for the sum of 66 *l.* 4*s.* 10*d.* There is a certificate in the "Composition Papers," that "John Fortescue of Fallapit took the oath and covenant on the 4th November, 1646;" and another, dated June 28, 1649, to testify "that he was an inhabitant of the City of Exeter for seven months before its surrender." This certificate may have been obtained to prove, by way of alibi, his absence from more active operations against the Parliament. Exeter was surrendered to Fairfax in April, 1646.

It appears from his will, dated in 1647, that John Fortescue had married a second wife who survived him. Her name is not given. He desires to be buried at East Allington, "on the north side of the grave of his never-to-be-forgotten deceased wife Sarah," who had died seventeen years before. He died in 1649, having survived his eldest son Sir Edmund, the well-known Royalist, and was succeeded in his estates by his grandson, the second Sir Edmund.

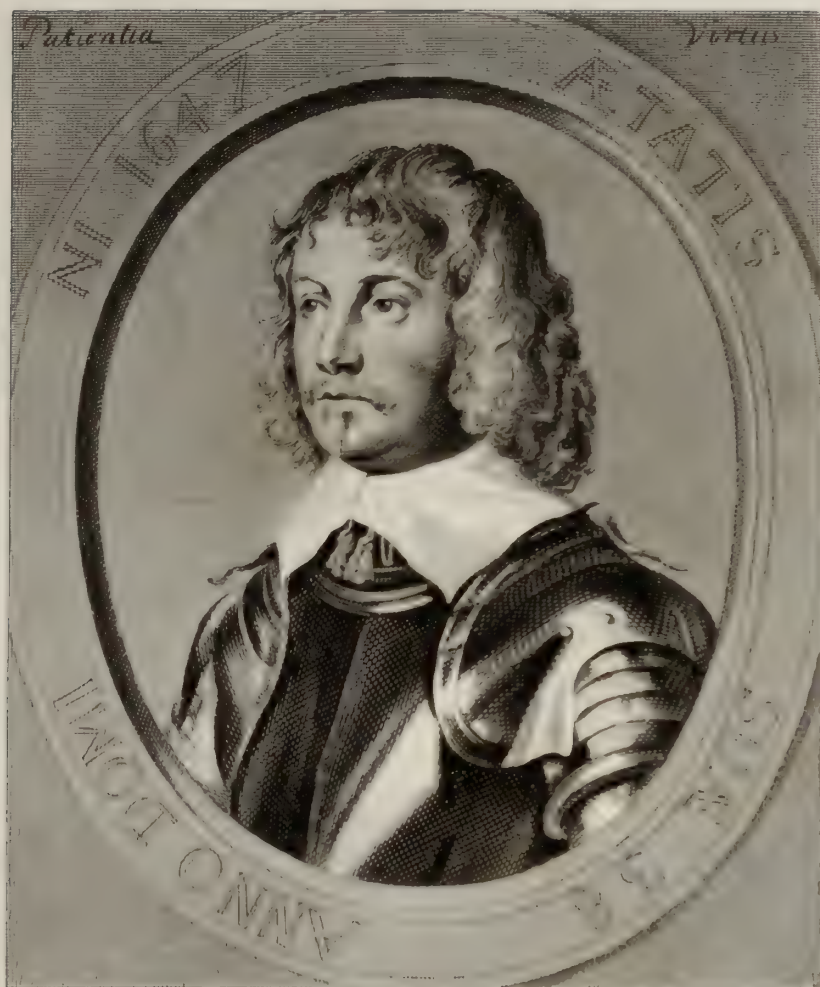
SIR EDMUND FORTESCUE.

Sir Edmund Fortescue, the eldest son of John Fortescue of Fallapit, was born at Fallapit, and baptized in the church of East Allington, July 15, 1610.¹ He married, in 1633, Jane Southcote of Mohun's Ottery.²

Upon the breaking out of the Civil War, he, like his father and family, took the king's side. In the year 1642 he was appointed by Charles High Sheriff of Devonshire, a post to which he certainly would not have been chosen at that most critical time, if he had not shown other qualifications besides that of his station as son and heir to a gentleman of large estate. The year of his shrievalty was destined to be a memorable one. The Royal Standard was raised by the king at Nottingham on the 25th of August, and in October of that year the first conflict between the two parties took place at Edgehill, when each side claimed a victory. Then followed in most counties armed risings of the people. In Devonshire the Parliamentarians were led by the Earl of Bedford, and at first carried all before them; but towards the end of the year Sir Ralph Hopton having arrived with a considerable body of troops, recovered many of the towns for the king, and upon reaching Modbury, a town near Fallapit, was joined by the sheriff at the head of his "Posse Comitatus," where they were soon surprised by Colonel Ruthven, "the Scotch Colonel," with 500 Parliamentary horse from Plymouth, and, notwithstanding their superior numbers, were entirely routed, and Sir

¹ East Allington Registry.

² Ped. in Stem. Fort., and Burke Comm.



VERA AC VIVA EFFIGIES EDMUNDI
FORTESCUE DE FALLAPPE IN COMITATU
DEVONIA. AQUITIS AVRARI PRO OBEDIENTIA
SUA CAROLO MAGNO. BRITANNIA. REGI
NUNC IN HOLLANDIA EXULIS

*Engraving by J. Smith
London 1747*

Edmund taken prisoner. The following account ¹ will be read with interest, having been written immediately after the events :—

“ Plimouth, Decemb. 9, 1642.

“ Sir Nicholas Slaning and Sir Ralph Hopton have entered Devon, as you have alreadie heard, with two or three thousand foote and horse, and first tooke Tavestocke, and next Plymton neere Plymouth; and after went to Modberry, leaving these townes fortified, where the high Sheriffe of Devon, Sir Edw. Fortescue met them, and by his warrant of Posse committatus called many thousands together at Modberry on Tuesday and Wednesday last, where they thought by examining everie man to perswade the people to stand against the Parliament, either by faire or foule meanes, and also to increase their armie by taking up of volunteers, and arming them with the armes they could take from honest men that were unwilling to follow their defines, by which meanes they would certainly have gotten many to serve them, for that most part appeered from 18 yeares to 60 yeares, but it hath pleased God to frustrate their designs for this time, by meanes the Scottish Colonell went hence on Wednesday morning by foure of the clocke with foure troopes of horse, viz. Bar. Drakes, Captaine Tompsons, Captaine Pimmes, and Captaine Gooldes, and about 200 Dragonceeres; and comming to Modberry about nine of the clocke, all the Countrie people fled, most of them being naked men, and those that had armes also threw them down and ranne away without any armes or horses; by which means, with the losse of one man, they tooke the high Shereffe Sir Edmond Fortescue, Baronet Seymer and his eldest sonne which was Knight of the Sheire for Devon in Parliament, and Squire Arthur Bassett of the North of Devon: (a notable Malignant) but the Clarke of the Peace, and about thirteene Gentlemen more, which they carried from Dartmouth, and this day sent them hither by sea (God send them a faire winde, I hope there will be 30. or 40. great Malignants sent from hence to London). Sir Nicholas Slaning, and Sir Ralph Hopton escaped very narrowly: Captaine Goold, I heare, is sent with his troope to Exon to desire some aide from thence, which if they come to joyne with our forces with Dartmouth and Plimouth (I hope, by God's assistance) they will be speedily suppressed. Our soldiers are heartie to the Worke, at Madbury they got great store of monie, horse, and armes from the Gentry they met there.

“ VALE.”

¹ Remarkable Passages, newly received, of the great Overthrow of Sir Ralph Hopton and his Forces, at Madburie, 12 miles from Plimouth. With the taking of the High Sherife (Sir Edmond Fortescue) prisoners, and divers others of Note, their names being here inserted. The which Particulars were sent in two Letters to Gentlemen of good Credit here in London. London: Printed for Henry Overton, Decemb. 14, 1642.

"MASTER STOCK AND LOVING FRIEND,

"Since the writing of my Letter a friend is come hither upon purpose from Exeter, to bring us tidings of a brave exploit done by the Plimouth Forces, worthy to be Chronicled, a neat and true relation, and fit for the Presse, is as followeth.

"Upon Tuesday last at night, being the 6. of this instant, the Commanders of the Garrison at Plimouth entered into consultation concerning what was fit to be done, and having intelligence that the Sheriffe lay at Madbury, where the trained bands by vertue of his Posse Comitatus met that day, and the next, the Cavaliers chiefe quarters being at Plympton, within 3. miles of them, thereupon they framed their designe. Very early in the morning Captaine Thomson, Captaine Pym, and Captaine Goold, and some others, with 500. Horse and Dragooners, marched away very privately Northward, toward Roubard Downe, as if they meant to goe to Tavestock, and then wheeled about toward Ivie Bridge on Plimouth road, and so went to Madbury, where in Master Champernons house, and in the Towne, they found the Sheriffe, with divers other Gentlemen of quality, and 2000. trained Souldiers, and Voluntiers; presently on their approach the Trained bands crying out, the Troopers are come, run away, many of them leaving their Armes behind them. The house was beset, and the Sheriffe stood upon his defence untill it was fired, and then the Assailants breaking in, possessed the house, and tooke divers prisoners, to the number of 20. or thereabouts, amongst which were these that follow, Sir Edmond Fortescue high Sheriffe, Sir Edward Seimor Baronet, Master Edward Seimor Knight of the Shire, Master Basset, Captaine Champernon, Captaine Pomeroy, Captaine Bedlake, Captaine Peter Fortescue, Master Barnes, Master Sheptoc Clerke of the Peace: After which they marched away towards Dartmouth, with their prisoners, where that night they safely arrived, bringing good store of Armes with them.

"This good newes I could not but write, although 10. at night; I conceive, nay I heare they will there Ship these prisoners for London, I wish them a faire wind to bring them unto Winchester house, or some such place: Master Hill understanding the wayes of the March, will say it is as brave an exploit as hath been attempted a long time, unto whom, with all my good friends that shall be at the reading hereof, I pray remember him that is always ready to serve you, &c.

"R. B.

"Dated Decemb. 9, 1642.

"We have now Letters from Portsmouth, where they are very couragious, and ready to doe exploits."

"The house" mentioned in the narrative where Fortescue and his companions defended themselves was Modbury Castle, the residence of the Champernouns.

Sir Nicholas Slanning did not leave the neighbourhood, but entrenching himself near the

town with 2000 men, held out until the February following, when he was defeated by the Devonshire clubmen.¹

Sir Edmund was forthwith sent to London, and was, after a few days, transferred to Windfor Castle, whence he was removed to "Wincheſter Houſe."

On the wall of the chamber in Windfor Caſtle, ſituated near the Norman Gate, and Round Tower, ſome writings were found, not very many years ago, which identify the ſpot of his imprifonment.

SIR EDMVND FORTESCVE PRISONER IN THIS CHAMBER.

THE 12TH DAY OF ANNARIE 1642.

POUR LE ROY C²

FORTESCVE.

Here is a rude outline of the
family ſhield of arms.

Forte-SCUTVM
SALVS DVCVM

S^r
E F
1643.
22 OF MAY.

Sir Edmund did not remain long in priſon. The date of his releaſe, by exchange or otherwiſe, does not appear with thoſe of his father and brother Peter, but it was not later than the autumn of 1643. In the following year he was once more actively engaged againſt the Roundheads in Devonſhire, as his letter to Colonel Seymour, the Governor of Dartmouth, will ſhow.

The Royaliſts then ſtill held out bravely.

Sir Edmund Forteſcue to Colonel Seymour.

"MY DEAREST FRIEND,

"Preſently, upon the receipt of your letter, I adreſſed myſelf to his Majeſty, and made known to him your juſt, fair, and moſt neceſſary deſires.

"His reply to me was, that he wiſhed the thing done, but now he could not poſſibly ſpare any horſe or foot for the redemption of thoſe parts from the perjured devils that are now in them.

¹ Lyſons' Devon, ii. 341, quoting Vicar's Parliamentary Chronicle, i. 226, 271. See Clarendon, iv. p. 612. Appendix, for death of Sir Nicholas Slanning.

² See Jefe's Windfor and Eton, p. 101.

"But with this I did not rest satisfied, but with fury made it known to some of my friends, who, with zeal in the business, again assaulted the King for a supply; but his answer was the same to them as he formerly gave me.

"After which I met with Sir Thomas Hele, and then we joined forces and went at it again. But the king was *semper idem*; and yet we did not despair; but almost disheartened at last we delivered all to the Lord Hopton, who was tender of it, and promised to do his utmost for our endeavours; who after much discourse with his Majesty, plainly told us that till this argument was thoroughly disputed with Essex no man could have a placet.

"This made me almost mad, and then having a dish of claret, I heartily chirped your health, and another to the fair lady governess, and then again to the noble governor on top: and after some few rounds, as long as the French spirits lasted, in a merry and undeniable humour, I went to Maurice, of whom I had good words and promises, which again was assured me by Wagstaff,—one that loves you,—and I am confident I shall prevail very speedily for some horse, either Sir Thomas Hele's or Sir Henry Casey's Regiment.

"Sir, nothing shall be neglected by me in which I may do you service. Ralph can tell you that in the prosecution of it I was near a mischance on a rotten bridge near the Court, where we are; and what we do I shall leave to honest Ensign Hemmerfon's relation. This is the last act of the play. God grant that each man may do his part well.

"My most humble and ever best services shall attend you, your fair lady, and your's. This is the unalterable resolution of your ever constant and most faithful servant,

"E. FORTESCUE.

"From the army near the rebels in Loftwithiel, 23rd August, 1644.

"My service to Major Fitzjames, Ranfield, Turner, cum multis aliis."¹

Sir Edmund was at this time serving under and in presence of the king himself, who, with Prince Maurice and Sir Richard Grenville, were encamped near Loftwithiel in Cornwall. Here they pressed so hardly upon the Earl of Essex and his army, that but a few days after this urgent letter was written, he was forced to embark from the port of Fowey, which lay in his rear, and so to escape to Plymouth, leaving his army with General Skippon to make what terms they could with the king. They soon surrendered. The men were allowed to march to Poole and Wareham after giving up their artillery, arms, and ammunition. Their numbers amounted to about 6000, after the departure of Sir William Balfour, who, with the horse, had broken through the Royal army some days before with the loss of 100 troopers.²

¹ The foregoing Letter is printed in Warburton's *Prince Rupert and the Cavaliers*, vol. iii., from the Duke of Somerset's MSS.

² See Lingard, x. 118. Clarendon, book viii., A. D. 1644.

We next find Sir Edmund engaged in repairing and defending for the king the Fort of Salcombe, which protects the entrance of Salcombe harbour near Kingsbridge, and not far from Fallapit.

In 1643 he had received the following commission from Prince Maurice :—

“ Prince Maurice, Count Palatine of the Rhine, Duke of Bavaria,¹

“ To Sir Edmund Fortescue Knight.

“ Forasmuch as I have received very good satisfaction that the fort called the Old Bullworke near Salcombe, now utterly ruined and decayed, which being well fortified and man'd may much conduce to ye advancement of his Mat^r. service in annoying the rebels, and securing those partes from their incursions.

“ And whereas you the said Sir Edmund Fortescue have given mee assurance of your readines and diligence in re-fortifying and re-maning ye said fort :

“ These are to will and require you, heerby giving you full power and authority, by all possible ways and meanes to re-fortify and man the same, willing and requiring the Sheriffe of the County of Devon, and all others his Mat^r. officers and loveing subjects, to ayde and assist you in perfecting of the said fortification, which fort with the officers and souldiers you shall for his Mat^r. service by vertue of this commission receive into your charge and comand, requiring all officers, souldiers, and others belonging thereunto, you to obey, readily to receive and accomplish your direccōns and comādes. And you yourselfe in all things well and duely to acquitt yourselfe for the best advancēnt of his Mat^r. service for which this shall be your warrant.

“ Given at Whitley under my hand and seale att armes, this 9th of December, 1643.

“ MAURICE.”

This old castle, of Saxon origin, now known as Salcombe Castle,² was, after it had been repaired, named Fort Charles. It has now again and long since become a ruin. It stands on a rock cut off from the mainland at high water, and almost covered by the tide. Hearne calls it “ a round fort built in the reign of Q. Elizabeth, a little before the Spanish invasion.”³

In pursuance of these orders Fortescue set to work to re-build the fort, and then to gar-rison, arm, and provision it. He has left behind him an account of the details by which these operations were effected,⁴ which are here given in full :—

¹ Hawkins's History of Kingsbridge, 1819, p. 88, &c.

² Mr. Fortescue's Letter.

³ Hearne's MS. Diary, vol. lxvii. pp. 154-162.

⁴ History of Kingsbridge, and MS. from Mr. Fortescue of Fallapit.

Family of Fallapit, second line.

“Payments and disbursements on Fort Charles, both for the building, victuallynge, and fortifying it with great guns and musquets. Perfected January ye 15th, anno dom. 1640 (1645).

	£	s.	d.
In the building	1355	18	9
And for timber, ordnance, powder, shot, muskets, fwords, and various warlike articles	1031	19	9

A true and juft particular of all the provisions in Fort Charles, January 15th, 1645, at which time it was furrounded and befieged by Sir Thomas Fayrefaxe the Parliament General:—

	£	s.	d.
Imprimis—1 butt of facke	20	0	0
Item, 10 hogfheads of punch—nine at 5 <i>l.</i> per hogfhead	50	0	0
Item, 1 tun of March beer	17	0	0
Item, 10 tuns of cider at 3 <i>l.</i> 10 <i>s.</i>	35	0	0
Item, 22 hogfheads of beef and pork at 7 <i>l.</i> 10 <i>s.</i> per hogfhead	165	0	0
Item, 1 butt of oyle	20	0	0
Item, 3 hogfheads of vinegar	4	0	0
Item, 48 bufhels of peafe at 7 <i>d.</i> per bufhel	16	15	0
Item, 2 hogfheads of meat	2	16	0
Item, 4 hogfheads of grits	8	0	0
Item, 2000 of poor jacks	15	0	0
Item, 6000 of dried whittings at 8 <i>d.</i> per cent.	24	0	0
Item, 300 of ox tongues	6	0	0
Item, 500 weight of candles	12	10	0
Item, of bifquet, 8000 weight, at 9 <i>l.</i> per thousand	72	0	0
Item, 12,000 weight of butter, at 5 <i>s.</i> per hundred	30	0	0
Item, 6 pecks of fruit	6	0	0
Item, 100 weight of almonds	5	0	0
Item, 15 quarters of coales, at 3 <i>l.</i>	45	0	0
Item, 100 bufhels of charkole	5	0	0
Item, 2 cafes of bottles full with rare and good ftrong waters	6	0	0
Item, 20 pots with fweetmeats, and a great box of all forts of efpecially good dry preserves	6	0	0
Item, the Churgion's cheft	16	0	0
Item, 100 weight of raw milk chefe	1	13	4
Item, 30 barrels of powder, at 6 <i>l.</i> per barrel	180	0	0
Item, 1000 weight of musquet balls, at 22 per cent.	11	0	0
Item, 10 rolls of tobacco, being 600 weight at 12 <i>d.</i> per pound	30	0	0
Item, for three fides of bacon	4	0	0
Item, for three doz. of poultry	2	5	6
Item, for 5 fheep	3	15	0

Family of Fallapit, second line.

37

Item, for 35 tunne of caskes for beer, cider, beef, pork, fish, grits, meat pease, and water, at 16s. per tunne	£	s.	d.
	28	0	0
Item, for 200 of lemons	0	16	8
The total sum is	74 ⁰	1	6
More for great shotte	32	17	6
In all it makes the full sum of	3157	17	6
Long live King Charles. Amen.			

Memorandum.—That in these accounts of 3157*l.* 17*s.* 6*d.*, not one penny is put down for beds, bedsteads, cerecloths, sheets, blankets, bolsters, pillowes, curtinges, vallances, curtain-rodds, pewter, table-boards, cupboards, spoons, buckets, tubbs, potes, glasses, bedroods, matts, all the beams and timber, chayres, stools, chests, firepanns, shovels, tongs, and irons, bellowes, and all other sorts of household stuff with which 'tis fully furnished.

Attested by me,

E. FORTESCUE.

	£	s.	d.
Item, more for forty halberds, at 6 <i>s.</i> 8 <i>d.</i> each halberd	15	6	8
Item, for 86 greatasketes to stand full with earth on the upper decks, and on the tops of the walls, at 5 <i>s.</i> 6 <i>d.</i> each basket	23	2	0
Item, for 46 lefsasketts for the same purpose, at 10 <i>d.</i> each basket	1	18	4
This summe is	38	7	0
This summe of 38 <i>l.</i> 7 <i>s.</i> 0 <i>d.</i> being added to the former summe of 3157 <i>l.</i> 17 <i>s.</i> 6 <i>d.</i> , make both together the full summe of	£3196	14	6

Ita est,

E. FORTESCUE."

"Here followes the names of the officers and soldiers in Fort-Charles, the 15th day of January, 1645, at which tyme twas befeiged by Sir Thos. Fayrefaxe' commande, the Parliament Generall.

Sir Edmund Fortescue, Governor.

Sir Christopher Luckner.	Mr. Snell (chaplain).
Mr. Thomas Fortescue.	Hugh Harris.
Captain Peter Fortescue.	James Cownes.
Major Syms.	Thomas Lightfoot.
Major Stephenfon.	Patrick Blacket.
Captain Rock.	John Harris.
Captain Kingfton.	Samuel Stodard (shot through the head, 31st March, 1646).
Captain Powett.	Robert Nugent.
Captain Peterfield.	Hugh Haedway.
Captain Doues.	

Family of Fallapit, second line.

Lieut. John Ford (ran away, 27th March, 1646).	Robert Prittiejohn.
Matthew Bordfedd, fergeon.	Peter Crofs.
Peter Davye, fergeant.	Walter Merrifield.
Andrew Margan, fergeant.	Stephen Crofs (ran away, 11th April, 1646).
James Dackum, fergeant.	James Froft.
Briant Brown, mafter-gunner.	Edwd. Yeabfly.
Richard Lamble, his mate.	Thomas Caufe.
Henry Browne, another mate.	Geo. Kingfton the younger.
George Lindon, armourer.	John Evans.
Arthur Scobble,	Hercules Giles the younger.
John Powell,	Peter Joynter.
Alex. Weymouth,	Thomas Quarme (being fick went by leave, 19th
Richard Wolver,	January, 1645-6).
Robert Terrye,	Hugh Perradey.
John Hodge, corporal, (shot and lame, went by	Richard Winter.
leave, 10th April, 1646).	Arthur Lidfton.
Chriftopher Wife.	Thomas Wakeham.
John Froft.	Nathaniel Port.
William Cookworthy (ran away, 8th March,	Peter Michellmore.
1645-6).	Thomas Hupkins.
John Gould.	Laurence Meyle.
John Stone.	James Cookworthy.
Michael Small.	Richard Martin.
Thomas Phillips (shot through the left arm and	Briant Browne the younger.
fide, 12th March, 1645-6).	Zachary Hupkins.
Total, 66 men, befides two laundreffes, viz, Mary Browne, and Elizabeth Terrye."	

"For the expenfes of this garrifon, Sir Edmund Fortefcue had an order from the Commiffioners of the county of Devon, dated from the Charter Houfe, Exeter, the 12th day of Auguft, 1644, affigning him the weekly contributions of the parifhes of Marlborough and Portlemouth, the former amounting to 11*l.* 15*s.*, and the latter to 6*l.*, making together a total of 17*l.* 15*s.*, and this he continued to receive from the conftables of thefe parifhes till the firft day of November in the fame year, when it was further ordered by the faid Commiffioners that he fhould be paid 14*l.* a-week by Mr. George Potter, fupposed to be the receiver-general for the county of Devon; and this perhaps proceeded from the Parliament army having by that time poffeffed themfelves of the neighbouring diftrict, fo as to prevent thefe payments from being made by the parifhes to the Royal party. On the firft day of January following, Sir Edmund was empowered to receive the faid 14*l.* weekly from Lieutenant-Colonel Modiford; and from him it is believed the knight continued to be fupplied. By fome papers, which are fo much defaced that it is impoffible to make out more than detached parts, it appears that the governor received a weekly contribution of 7*l.* 1*s.* 8*d.* for fome

time from the constables of West Alvington (a parish adjoining to Marlborough), and that he was paid by them to the amount of 24*5*l. 16*s.* 10*d.* This, it is presumed, was what he had prior to the order of the 12th day of August, 1644.

"Sir Edmund declares 'that he had not taken one single penny for himself as governor,' nor made any charge for the furniture of the chambers of the castle."¹

Very soon after the preparations were complete, the Parliamentarians approached the fort. It was invested on the 15th of January, 1645-6, by order of Sir Thomas Fairfax. There is no account of the way in which the siege was carried on; but, as there was a battery on the south-east shore of the harbour exactly opposite to the castle, it was probably by the fire of its three guns that the fort was reduced to an untenable position.

It is related that one night the slumbers of Sir Edmund were disturbed by the leg of his bedstead being carried away by a shot, causing his sudden appearance among his men in his shirt.

The little garrison managed to hold out for almost four months,² though some accounts say for fifty days only, when they were obliged to capitulate; and finally agreed to surrender on very honourable and favourable terms, to Colonel Ralph Weldon. The following is a copy of the Articles agreed upon on the 7th of May, 1646:—

"Articles agreed one betweene Sir Edmond Fortescue, Governor off Fort Charles, of y^e one party, and Major Pearce and Captain Halle of the other party, for y^e surrendering of the said fort into y^e hands of Corronell Ralph Weldon of Plymouth, for the use of King and parlement, to the which articles the said Corronell Weldon fully agreed, as witnefs his hand and seale to these present articles y^e seventh day of May, 1646, as heare after followeth.

Imprimis. That sir Edmond Fortescue, y^e gouernor, and sir Chr. Luckner, with there servants and all & every of the officers and souldiers now in y^e said fort Charles, shall have and enjoye in there and every of thare severall and respective places, capacities, and degrees, full liberty in thire profession of the true protestant religion professed and vowed by both houses of this present parlement, in their first grand protestation, and shall not act any time hereafter, by letter or censure, in theire or any off their places or aboads, or perseuinge in y^e practice and exercise of popery: Soe itt is agreed y^e if any papist there be hee will forfeit y^e benefitt of y^e articles.

II. That the gouernor and Mr. John Snell his chaplinge, and all officers and souldiers belonginge to the said fort, shall have free libertie to go to there owne homes, in any place or county within this kingdom, or places bee yund seays, and they not to bee molested for y^e future, they submittinge themselves to all orders and ordenances of parlement.

¹ Taken from the History of Kingsbridge.

² Sprigg's England's Recovery. Whitelock gives the date of surrender as June 1, and Vicars as June 3.

Family of Fallapit, second line.

III. That the faid fort may not bee knowne by aney other name than fort Charles as now itt is, or any coate off arames in y^e dininge rume defaced ; or any thing beelonginge to the faid fort.

IIII. That fir Edmond Fortescue y^e gouernor, fir Chr. Luckner, capt. Geo. Kingston, with there seruant, bee permitted to goe to there owne homes, fir Chr. Luckner to Fallapit, thare to remaine, or elsewhare within this kingdom under the pouer of y^e parlement, for the space of three months time umolested. And if they cannot make theire peace with the parlement, then to have free liberty to pas from any port within this kingdom bee younde y^e seayes.

V. That the gouernor fir Edmond Fortescue, his seruant, and all officers and soldiers, bee quietly permitted to carry any cloathes, monneys, or other goods which they can justly clayme as there owne, to thare houses, and to inioye them without molestation.

VI. That tenn horses be permitted for the gouernor's use from hence to Fallapit, and that any officer & soldiers have free libertey to transport his or any off theare goods by boat or other wayes to Kingsbridge, and then to dispose of them att there pleasures.

VII. That on saturday the ninth off this present May, by tenne of y^e clock in y^e morninge, y^e gouernor and all his officers and soldiers of fort Charles shall then march out, & surrender y^e same into the hands of Corronell Welldon, or whome hee shall appoynte, With all the ordnance, arames, amonition, victualls, and every other thing there unto pertayninge not mentioned in these articles, without spoyling, breaking, demiskinge, or confuminge of the same.

VIII. That the gouernor, fir Chr. Luckner, thire serv^{ts}, and all officers and souldiers in the fort, have free liberty to march from hence to Fallowpit with there usuall armes, drumes beating and collers flyinge, with bondelars full of powder, and muskets apertinable, and after three vallues to yield up there armes to those whome Corronall Welldon shall appoint to receive them, the gouernor, fir Chr. Luckner, with both there seruants, likewise y^e officers in common excepted.

IX. That noe officer or soldier, or any other under y^e command of Corronell Ralph Welldon gouernor of Plymouth, shall any way reproach, spoyle, philter, or mollest any of the officers or soldiers of the same fort in their march from thence to Fallowpit, or elsewhere att the same distance from hence, or in there or any there respective places aforesaid. Untill y^e time of surrender of y^e faid fort, their be none pas in or out, or transport any thinge by feay or land from thence, without y^e knowledge of both parties.

X. That sufficient hostage bee delivered on both sides for the faithfull performance of these articles.

RALPH WELLDON.

RICHD. PEARCE.

EDMOND HALLE."

The MS. account of the siege before referred to, states "that Fort-Charles had sustained two sieges before," and there is said to have been an item in the governor's accounts "for greate shotte and musquet shotte when Fort-Charles was formerly twice besieged."

The articles of surrender were adhered to, and Sir Edmund, with his garrison, marched out of the fort with flying colours, and proceeded to Fallapit. I am informed by the present Mr. Fortescue of Fallapit that the key of the castle still hangs in the entrance-hall there.

Three months were, as we have seen, allowed to the officers to decide whether they would make their peace with the Parliament, or go beyond seas. Sir Edmund chose the latter alternative, and crossed over to Holland, where he took up his residence at Delft, remaining there during the short residue of his life. There is a notice of him in the "Articles of Peace," July, 1646, printed in Thurloe's State Papers.¹ It is there ordered that certain persons, chiefly Knights, about forty in number, among whom is Sir Edmund, "be removed from his Majestie's counsels, and be restrained from coming within the verge of the Court; and that they may not, without the advice and consent of the Parliament of England, bear any office in the State or Commonwealth."

He died at Delft in 1647, not later than February; his father's will, dated March 1st, 1647, mentioning him as his "son Sir Edmund Fortescue, deceased." He was consequently not more than 37 years old at his death. He was buried at Delft, in the great church there,² where a monument was erected to his memory. There is a portrait of him in armour at Fallapit House, and a very rare print, engraved by Dawkes, at the Hague, of which a facsimile is given in this work, taken from a drawing of the original engraving, in the Sutherland Collection at the Bodleian Library.

Of his character we know nothing beyond what is expressed in the saying already mentioned in the account of Sir Nicholas Fortescue, viz. that both these persons "were observed so wary as to have all their enemies before them."³ He may, however, be fairly ranked among the Devonshire celebrities of the period of the great Civil War.

Sir Edmund, the eldest son of the exile of Delft, was baptized in September, 1642,⁴ and succeeded in the year 1649, being then seven years old, to the estates of his grandfather, John Fortescue. He married Margery, daughter of Henry, fifth Lord Sandys of the Vine, was knighted before 1660, about the eighteenth year of his age, and, on the 31st March, 1664, was created a Baronet.⁵ In the year 1660 he petitions Charles II. for the appointment of Governor of Fort Charles, alleging his father's services and expenditure there, and that the Fort was useful for the defence of the country.⁶

¹ Vol. i. p. 81.

³ Encyc. Brit., iii. 2001.

⁵ Burke's Commoners, ii. 543.

² Edin. Rev., vol. xlv. p. 314.

⁴ Parish Register of East Allington, in Stemm. Fort.

⁶ Cal. State Papers, 1660-1661.

In "Kennett's Register and Chronicle," 1660, p. 317, we are told that Sir Edmund published in that year a "Letter on the Spirit of Cockfighting." He died at the early age of twenty-four, and was buried at East Allington in January, 1666. His wife survived until 1687. There is a monument to her memory¹ in the Church of St. Paul, Covent Garden.

The issue of this marriage was Sandys, an only son; and three daughters,—Jane, Elizabeth, and Sarah.

Sir Sandys, who succeeded at Fallapit, was baptized in July, 1661;² he married Elizabeth, daughter of Sir John Lenthall, of Basingleigh, by whom he had an only child, a daughter, and died in 1680, when the Baronetcy became extinct, and the estates passed to the son of his grand-uncle, Peter Fortescue, of Cruft, by Elizabeth Bartond, of Garston. This was Edmund Fortescue, born 1660. He married Maria, daughter of Sampson Wyfe, Esq., of Dittesham, and died in 1783, aged seventy-four. Mr. Fortescue, and his wife, who died in 1722, were buried in East Allington church, where is a monument to them and to their six children. He left no son to succeed him, and was consequently the last male Fortescue³ possessor of his ancient estate. He had, however, five daughters, viz.—Mary, Elizabeth, Dorothy, Sarah, and Grace. Mary, the eldest, married the Right Honourable William Fortescue, of Buckland-Filleigh, but died at the age of twenty-one, after giving birth to an only daughter, Mary, in 1710, who married John Spooner, Esq., and dying without surviving issue, the estates passed to Elizabeth Fortescue, her aunt. This lady, who was never married, died in the year 1768, aged seventy-three, when the property passed out of the Fortescue family to her grand-nephew Edmund Wells, Esq., having been in the Fortescue name for almost 350 years.

There is a thin quarto volume, printed in London in 1654 for Thomas Heath, entitled, "An Alphabet of Elegiack Groans upon the truly lamented Death of that Rare Exemplar of Youthful Piety, John Fortescue of the Inner Temple, Esquire, by E. E." These initials are known to stand for Edmund Elys, who was rector of East Allington, the parish in which Fallapit is situated, in the year 1660. There is a copy in the British Museum. I cannot identify with certainty this John Fortescue with any one in the pedigree of Fallapit.

FAMILY OF WELLS-FORTESCUE.

Dorothy Fortescue, fourth daughter of Edmund Fortescue of Fallapit by Maria Wyfe, married Thomas Bury, younger son of Sir Thomas Bury, Knight, and dying in 1733, left a

¹ Stow's Survey of London, vol. ii. book vi. p. 90.

² East Allington Register.

³ Burke's Commoners, ii. 554.

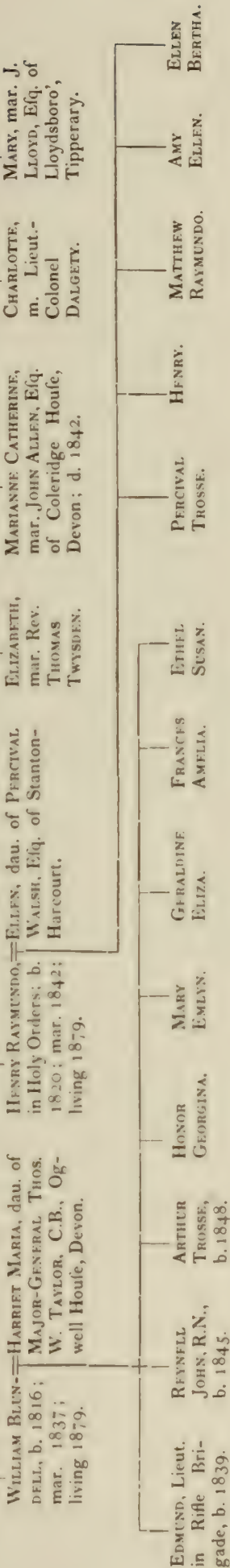
FAMILY OF WELLS-FORTESCUE OF FALLAPIT.

THOMAS BURY, son = DOROTHY, 4th dau. of EDMUND
of SIR THOMAS FORTESCUE, Esq. of Fallapit;
BURY. died 1733. (*See Pedigree of
Fortescue of Fallapit, 2nd Line.*)

CATHERINE BURY, mar. = REV. NATHANIEL WELLS,
1745; died 1770. Rector of East Allington.

EDMUND WELLS, b. 1752, d. 1779; took the name of FORTESCUE = MARY ANNE, dau. of PETER BLUN-
only on the death of his great-aunt ELIZABETH FORTESCUE, 1768. DELL, Esq. of Collepriett. ELIZABETH WELLS. = THOMAS WILLIAM STURGEON, Esq., nephew
of first MARQUIS OF ROCKINGHAM.

EDMUND NATHANIEL WILLIAM, = ELIZABETH, dau. of WILLIAM
of Fallapit, b. 1777; mar. LONG TROSSE, Esq. of Tre-
1803; died 1821. vollard, Cornwall.



daughter, Catherine Bury, married to the Rev. Nathaniel Wells, of the ancient Lincolnshire family of that name, Rector of East Allington, the parish in which Fallapit is placed, by whom she had issue, with other children (for whom see the pedigree), Edmund Wells, who on the death of his great aunt, Elizabeth Fortescue, in 1768, inherited Fallapit, and assumed the name and arms of Fortescue only. He married Mary Anne, daughter of Peter Blundell of Collepriest, in Devonshire, and had issue a son, Edmund Nathaniel William, and a daughter, Elizabeth, married to Thomas William Sturgeon, son of F. Sturgeon, Esq.,¹ and Lady Henrietta Wentworth, youngest daughter of the first Marquis of Rockingham. Mr. (Wells) Fortescue died in 1779, aged twenty-seven years, and was succeeded by his son, Edmund Nathaniel William, born 1777, Major of the South Devon Militia; married, May, 1803, Elizabeth, daughter of the late William Long Trosse, Esq., of Treccolland, in Cornwall, and had issue, with other children (see pedigree), the present William Blundell Fortescue, Esq., born May 31st, 1816; succeeded to his father's estates at his death in July, 1821; married, in 1837, Harriet Maria, second daughter of Major-General Thomas William Taylor, C.B., of Ogwell House, Devon, and had issue,—Edmund, born, 1839, Reynell John, born 1845, Arthur Trosse, born 1848, Honor Georgina, Mary Emlyn, Geraldine Eliza, Frances Amelia, and Ethel Susan.

We have now, with the account of this second line of Fallapit, finished the history of the several branches of Fortescues settled in South Devon. It will be seen, by a reference to the map of Devonshire, how the seats of Wimpstone, Preston, Spridleston, Wood, and Fallapit lie near together in the south-eastern extremity of the county, a district known as the South Hams, between the hills and the coast, all of them between the Yealm and the Dart, two of the many streams supplied by the rains and mists of Dartmoor, to water one of the most smiling and beautiful districts of England.

That retired region must have been almost peopled by families of Fortescues, held together both by neighbourhood and frequent intermarriages. Of the above-named seats, Fallapit alone remains to the descendants of its ancient owners.²

It was Martin, the Chancellor's son, who, by his marriage with the heiress of Wear-Giffard and Buckland-Filleigh, first took the name into the north of the county.

¹ Burke's Extinct Peerage, 559.

² Since the above was written Fallapit also has been alienated.

CHAP. VI.

The Fortescues of Norreis and Wood; and the Fortescues of Fallapit (first line).

HAVING completed our account of the various branches of the family descended from the eldest son of William Fortescue of Wimpstone by Elizabeth Beauchamp, we must now revert to their second son, John Fortescue, generally distinguished from the others of his name as Sir John of Meaux.

He served in the French wars under Henry V., and was present in the battle of Agincourt in 1415. Upon the taking of Meaux, the capital of the province of La Brie, in 1422, Sir John Fortescue was made captain of that strong place and governor of the province. He returned to England before the year 1431, and appears to have had his residence at Shepham, in South Devon.¹ He also possessed Norreis in right of his wife, and we gather from a deed quoted in *Biographia Britannica*² that he had the manors of Overcomb, Efford, and Alston, in the parish of Holboughton, or Holberton. In the Patent Rolls, 7 Henry VI. (1429), there is a grant by Sir John Fortescue, Knight, to John Longford, of lands, &c. &c. in Norden, in the parish of Brigerenwell, in Devon. There is little mention of him in contemporary documents beyond those here quoted; a Close Roll, however, of the 6th of Henry V. (1418) mentions "Johannis Fortescu nuper Escaetor Noster Cornubiæ," who probably was this Sir John.

We find by the Pedigrees that he married Joan (or Eleanor), daughter and heir of William Norreis of Norreis, in the parish of North Huish, by the daughter of Roger de Collaton, by whom he left issue three sons, viz. Henry, the eldest son, afterwards Chief Justice in Ireland, John, the second son, who became Lord Chief Justice of England and Lord Chancellor to Henry VI., and Richard, ancestor of the Fortescues of Herts, Essex, and Bucks.

His wife inherited her father's estate, and became the representative of the very ancient family of Norreis, she being the ninth in descent from Laurence le Norreis. At her death the property passed to her eldest son, Sir Henry Fortescue, and to his descendants of the elder line. Sir William Pole, writing about 1620, says, "This land (of Norreis) is descended from Henry Fortescue unto Francis Fortescue of Pruteston and Woode that nowe liveth, and is Lord of Norreis."³ Sir John also acquired an estate in Hertfordshire, which he left to his youngest son, Richard, who through his second son Sir John of Ponsbourn, was the founder of three families, of whom we shall treat in a later chapter.

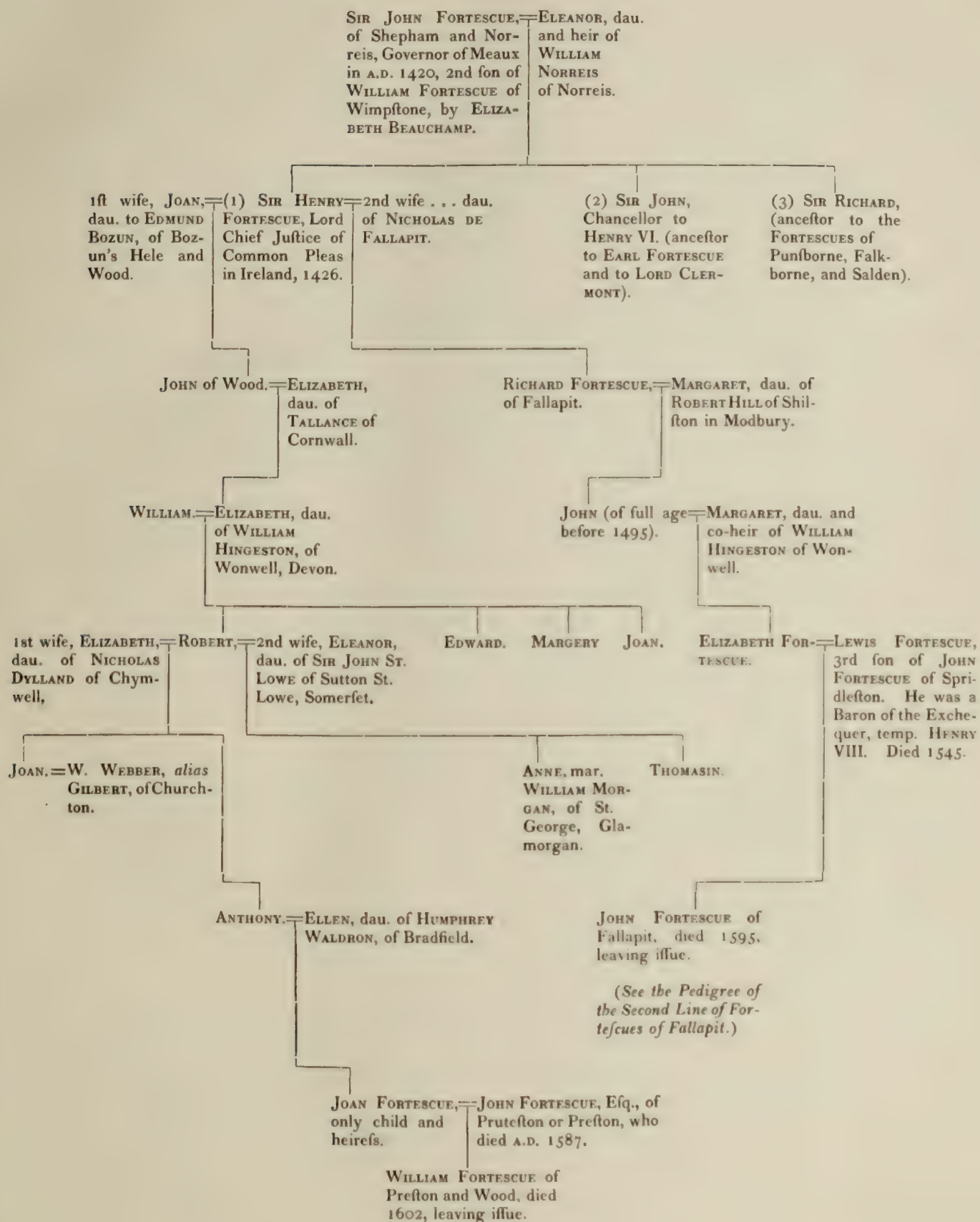
¹ Pole's Collections, List of Knights, at p. 64.

² Vol. iii. p. 1986.

³ Rifdon, Survey of Devon, 189; Fuller's Worthies, i. 411; Pole's Collections, 301.

FAMILY OF WOOD AND FALLAPIT.

(FIRST LINE.)



(See Preston Pedigree.)

N.B. This Pedigree is taken in part from the Visitation of Devon, 22 Hen. VIII. 1531. Brit. Mus. Add. MS. 14,315.

John Fortescue is returned among those who in the 12th of Henry VI. (1433-34) had lands in Hertfordshire enabling them "to spend Ten pounds p^r. annum." This, Chauncey¹ calls "a fair estate."

His death occurred between 1431 and 1437, probably in 1435.² Westcote, the historian of Devonshire, writing in 1630,³ calls Sir John of Meaux "a worthy and fortunate commander under that terror of France, and mirror of Martialists Henry the fifth;" and Rifdon and Fuller follow in the same tone.

Of Sir John of Meaux's three sons, two chose the profession of the law, and they both rose to distinction. Henry, the eldest, appears to have studied at Lincoln's Inn; for we find in the list of Governors of that House his younger brother, Sir John, styled Fortescue "junior" in the 6 Henry VI.⁴ He no doubt distinguished himself more or less in the courts, although we have no particulars of his career, unless he is the Henry Fortescue who was member of Parliament for Devon, 9 Henry V. (1421),⁵ until he is sent to Ireland as Chief Justice of the Common Pleas in the 4th Henry VI., his appointment bearing date June 25th, 1426, "quamdiu se bene gefferit." We learn from entries in the Irish Chancery Rolls that his salary was fixed at forty pounds per annum, and afterwards by a second Patent altered to forty pence per diem. He also received a grant of the custody of certain manors.⁶

Sir Henry did not hold this office long; for, whether through some intrigue, or by his own wish, he was "relieved" from the office on the 8th of November, 1427,⁷ by the king's writ. If we may believe Fuller, his character for uprightness as a judge stood high, he being "justly of great esteem for his many virtues, especially for his sincerity in so tempting a place." He is styled by the Lord Lieutenant "Chief Justice of Ireland."⁸

His fault, in the eyes of those who had sent him, may have been too much sympathy with the English settlers in Ireland; although Lodge affirms that "he enjoyed a large share of the royal favour." He certainly, soon after he had ceased to be Chief Justice, was sent, with Sir James Almeyn, by the Commons of Ireland into England "to lay before the king their complaints, and the state of the country."⁹

And again, in November, 1428, the Lords and Commons in Parliament assembled at Dublin, with Sir John Sutton the Lord Lieutenant,¹⁰ drew up Articles of Complaint, which

¹ Clutterbuck's Herts, ii. 348, quoting Chauncey, Herts, p. 310.

² Proceedings in Chancery, temp. Elizabeth, printed in 1830, vol. ii. p. xviii.

³ Westcote's View of Devon, 395.

⁴ Dugdale, Orig., p. 257.

⁵ Willis, Not. Parl. I do not know any one else of his name at that period.

⁶ Rot. Pat. Conc. Hib., 5 Hen. VI.

⁷ Rot. Claus. Conc. Hib., 6 Henry VI.

⁸ Rot. Claus. Conc. Hib., 7 Hen. VI., p. 249.

⁹ Rot. Claus. Conc. Hib., 7 Hen. VI.

¹⁰ Rot. Claus. et Pat. in Conc. Hib., 7 Hen. VI., p. 247.

were sealed with the Great Seal of Ireland, and delivered to Henry Fortescue, still styled "Capitalis Justiciarius de capitali placita," and Sir Thomas Strange, Knight, empowering them to lay the articles before the King and Council in London.

Their chief grievances appear to have been the frequent change of governors, and the assaults, robberies, and arrests perpetrated upon Irishmen travelling in England, and the false accusations made to the king against the Governors and Justices of Ireland. They pray that debts incurred by former Lord Lieutenants may be paid off; that students going from Ireland to study the Law should be received, as formerly, into the Inns of Court, and not continue to be, as then, excluded; and they complain especially of the "late aggression committed upon Chief Justice Fortescue and Sir James Almeyn, when on their late mission to England," and pray that the guilty parties may be punished.

After this second mission we hear no more of Sir Henry, who seems to have returned to Devonshire, until about the year 1431, when the Records of Chancery Proceedings inform us that he was charged by Richard Sackville, and Margery his wife, with having wrongfully dispossessed them from their lands and housing at Nethercombe. The Bill complains that "the said Herry Fortescue, late Justice of Ireland, with Richard his brother, and great people of Iryshmen and Scottys, in the manner of werre arrayed," did break open their doors, &c., as will be seen by reading the document in full, which here follows:—

Richard Sackville and Margery his Wife v. Henry Fortescue, late Justice of Ireland.

To recover possession of land and housing in Nethercombe, in Devonshire, of which the Defendant has wrongfully dispossessed them.

To the Chancellor of Englonde our gracious Lorde :

Beseecheth you mekly gracious Lorde your pore oratours Richard Sackville, and Margerie his wyf, that where the said Richard and Margery, their auncestors and tho whose astate they hadden, sithe the tyme of King Edward, the xxiii yeare of his reigne, have hadde and contened possession, and other perones by their graunte of a ferthyng of londe, with howsynge theruppon, in Nythercombe, in Devensshire (by grante of one Hugh Cumba to one John Shipham, and to his heires for evermore, reserving xvj.s. of rente whiche Margerie, John her fadere, and Richard thir aiel, and all other whose astate they hadden yn the fed londe and howsynge, have paid the fed xvj shillings of rente unto the seide Hugh Cumba, and to his, difendablye fro him unto one *Herry Fortescue, late justice of Irlonde, &c.*, cofyn unto the seide Hugh, which yeres and daies was paid of the seide xvj.s of rent by the seide Richard and Margerie, unto now late, that the seide Herry with Iryshemen, Scottys, and other, yn the manere of werre arraied, wrongefully put out the faide Richard and Margerie their feffes, their tennants in taile, yn dower, tyme of lyf, and other which ther not pursue for thair righte of the faide londe and housynge, and of other londe. And so . . . possession fewyd affize by grete fotolte and maintenance, which is dyscontinued and no judgement yevyn, and yet he occupied his said wronge possession, and hath made grete destruccion and wafte, and so mannassed the faide Richard that they durst nouzt come ne occupy there . . . for dowte of death. And after that by

mediacion of certayne perfonnes was made awarde at Holbeton ye viiith dai of March,¹ the ixth year of the Kyng that now ys, our most souveraine and gracious lorde, which award the faide Richard and Margerie were redy to have performed (to their) power, and as ytt appeareth of record; butte the faide Herry for to destroie and disherit the faide bifechers and other forfaide wrongfully, he and others of his assent ymagined an untrue awarde, wretyn, endented, and feled, of the faide londe and howfyng, and berynge an hande that the faide Richard ne Margerie wolde noutz performe that awarde made att Holbeton; and because of nounpayment of xx.s att feste of Ester, when it was twelvemonth and more after the feide feste, or the feide bifechers knew the feide awarde, condempned the feide Richard to an cxi. marke, uppon the feide untrewre awarde, and cntrarie thereto, and to the plee of the faide Herry, by cause of an untrue and deceveable entre yn the rolle of a clerke by procuringe of one William Elyot attourney, and by other of his assent, and after that served execution of all their londes, goodes, and cattels, so that they had nouzt to leve ne hem to susteine thereuppon in no manner wyse, butte made hem beggars; and noutwithstandyng that their friends after that yaf hem goode to susteine and helpe hem and thair children therewith of almnesse, yet the faide Herry, *Richard his brother*, with grete people of Iryshemen and other in the manore of werre arraied, come to the dwellyne of the faide Richarde Sackville (he and his wyf, here moder, and here children beyng in thair bedde) and brake thair dores and cofres, with horrible gov'naunce cryng and shotte, and come to hys bedde, and toke hym with oute warrante, and toke his bedde-clothes, affraied and caste out the faide children al naked fore wepyng and cryng, and toke other goodes and catelles as a bille reherfeth, lete his wyf beyng grete and quykke with childe, her moder, and her sonne, and lefte hem there for dede, which was cause of the faide childe's deth, and of mo other yf God hadde nouzt fortunied, and ledde hym forth to Exestre, and ther kept hym in prisone till they hadde a warrant fro the justice of pees, and berynge an hande that they tokyne hym by that warant, and after that served a capias of execucion, and so ledde hym to London, and ther have kept hym in prisone all this three yeare and more uppon the feide untrue awarde, and by cause that the faide bifechers wol nouzt graunte unto the faide Herry, and to his heirs the faide londe and howfyng, where the mowe nouzte in no wyse, and wher the faide Herry hath no right, as it prith by the faide evidence and possession, and by othere, and also by the favynge of *John Fortescu, fader of the faide Herry* afore his deth.

Whrfor the faide bifechers . . . bifecheth your gracious Lordshipe to consider how they have sued this 6 yeare and more, and both utterly destroyed, and in prisone, and may nouzt sew we have the cōe lawe by cause of pov'te and imprisonment, and by cause of grete maintenance, assurance, and pjurie, and for other divers causes, besechyng youe gracious lorde, to call hem that been p'sent and ptie in thes materes, and to sende for the faide Herry, and for hem that been ptie and assente, to appear before your gracious prefence, and after the commaundement of oure moste drede sovraine lorde, to be dewly examined of alle the premisses of this bille, with other circumstances therof, as the faide bifechers schalle more openly declare afore your gracious prefence, and to do dew justice and remedye to the faide bifechers and . . . and in savyng of the right of our feide sovraine lorde for pite, for the love of God, and chite.

Declaracio Rici Sacheville et Margie Ux̄is ejus.²

¹ i. e. A. D. 1431.

² See Proceedings in Chancery, reign of Queen Elizabeth, with Earlier Proceedings from Richard II. to Richard III., 3 vols. folio, 1830, vol. ii. p. xviii., Henry VI.

Sir Henry was married twice, each time to an heiress. His first wife was Joan,¹ daughter to Edmund Bozun, of Bozun's Hele, heir to the family of Wood in South Devon, by whom he had a son, John, who inherited the estate of Wood, and left it to his heir, as we shall presently see. His second wife was the daughter and heir of Nicholas de Fallapit, by whom he had a son, Richard, who inherited Fallapit from his mother.

THE FORTESCUES OF WOOD (1ST FAMILY).

Sir Henry Fortescue was succeeded in his estates by his eldest son, John,² who also inherited Wood from his mother. John's son and heir was William, who left a son, Robert, who was succeeded by his son, Anthony Fortescue of Wood, who married Ellen,³ daughter of Humfrey Waldword of Bradfield, by whom he had not any male heir, and only one daughter, Joan; who, marrying John Fortescue of Preston (who died 1587), conveyed the Wood estate to that branch, as has been already narrated. There is no record in the Pedigrees of the names of the families into which the foregoing possessors of Wood married, nor of any children besides the sons and heirs; nor have I been able to trace them in the Inquisitions Post Mortem, or in the family wills.

THE FORTESCUES OF FALLAPIT.

"Fallapit," says Pole, "belonged unto the name of Falleput; of which name I find successively to enjoye the same, Robert, John, John, Philip, and Nicholas, whose only daughter, . . . was second wife unto Henry Fortescue, Justice of Ireland, and eldest son of Sir John Fortescue, Captain of Meaux."⁴

The Fallapit or Valeput family possessed the estate from the end of the thirteenth century, if not earlier, and it has passed from them through the Fortescues of two branches to the Wells family, with whom it still continues, so that the present Mr. Wells Fortescue may boast of an inheritance almost six centuries old.

The son of Sir Henry Fortescue by the Fallapit heiress was Richard, who, marrying Margaret, daughter of Robert Hill of Shilston, in the parish of Modbury, left a son and heir, John, who married Margaret, daughter and co-heir of William Hingeston of Womb-

¹ Collins, vol. v. 337, and Visitation of Devon, 1564, &c. Lodge, Peerage of Ireland, makes her daughter of Wood.

² Stemmata Fortescuana, Coll. of Arms Pedigree.

³ See Stem. Fort.

⁴ Pole, Coll. of Devon, p. 290. Selden in his preface to De Laudibus quotes from the Coffin MS. "John Fortescue de Valepit held 8th Edw. I. Stancourt-Prior in Colrug. Hund. Devon."

well, in the same parish. This "John Fortescue of Vallepit" is named among those who accompanied Courtenay, 16th Earl of Devon, to the relief of Exeter, besieged by Perkin Warbeck about 1495.¹ He had no son, and only one daughter, Elizabeth Fortescue, his heiress, who, however, by choosing a Fortescue for her husband kept her patrimony in the name. She married Lewis Fortescue, third son of John Fortescue of Spridleston, as we have before seen. He became a Baron of the Exchequer in the end of the reign of Henry VIII., and died in 1545. Their issue was six sons and four daughters; of whom the eldest son, John, succeeded at Fallapit, being the first of the second family there, whose history has been already traced.

Thus the male descendants of Sir Henry Fortescue failed, as well those springing from his first marriage with the Wood heiress, as those by his second marriage with the daughter of Nicholas de Fallapit.

¹ Gilbert's Parochial History of Cornwall, vol. ii. p. 190.

CHAP. VII.

Chancellor Sir John Fortescue.

A REFERENCE to the genealogical tree will show that, by the completion of the account of the descendants of Sir John Fortescue of Meaux, through his eldest son Sir Henry, we have come down to the second son of the said Sir John, namely, Chancellor Sir John Fortescue, Lord Chief Justice of England.

The eminence to which this personage attained, and the circumstance that he became the direct ancestor of some of the principal branches of the family which have lasted to the present time, require that nothing relating to him should be passed over, but that the scanty materials for his biography which have come down to us should be fully investigated.

Although several pedigrees have made him to be grandson of Sir John the Governor of Meaux, and son of Sir Henry Fortescue Chief Justice in Ireland, they are certainly in error, because a careful comparison of the periods during which the three persons in question held their public appointments will show that it is scarcely possible that Sir Henry and the Chancellor¹ could have stood to each other in the relation of father and son, and because still stronger, and what for the present purpose may be called conclusive, evidence is found in a contemporary document,² where it is incidentally mentioned that "Herry Fortescue, late Justice in Ireland," was the son of John Fortescue, and that he had a brother Richard; and this last being also brother of the Chancellor, it follows that he and Sir Henry were likewise brothers.³

Of the place of his birth there is no positive mention. Prince⁴ says that it was "most likely Norris, near South Brent in Devonshire." This was a feat belonging to his mother, who was daughter and heiress of William Norris of Norris, where her ancestors had been settled for eight generations.⁵

Neither do we know the precise time of his birth, although by a passage in his work, "*De Laudibus Legum Angliæ*," it is possible to get within three or four years of it.

¹ Prince, *Worthies of Devon*.

² *Proceedings in Chancery, reign of Elizabeth, and from Richard II. to Richard III.* 3 vols. folio. 1830. Vol. ii. p. xviii. See the whole deed at p. 46 *ante*.

³ There is besides a deed of 14 Henry VI., quoted in the *Biog. Brit.*, vol. iii. 1986, which is a grant by Henry Fortescue to John his brother, and to Isabella, the wife of said John, of all the messuages, lands, and tenements of John Fortescue, *father of said Henry*, in Overcombe, Efford, and Alston, in the parish of Holboughton, in Devonshire.

⁴ Prince, *Worthies of Devon*.

⁵ Pole, *Collections for Devon*, p. 300.

He there says, in describing the degree of Serjeant-at-Law,¹ "Quare ad Statum et Gradum talem, id est fervientis ad legem, nullus hucusque assumptus est qui non in prædicto generali legis studio sexdecim annos ad minus antea complevit," and in the chapter before he says that the students are, for the most part, youths. Now, Fortescue was made a Serjeant in Michaelmas Term, 1430, and consequently must have become a student of the law, at soonest, in the year 1414, so that if he was then eighteen years old, he was born in 1396, if twenty, as is perhaps more likely, then 1394 was the year of his birth.

Bishop Tanner says that he was educated at Exeter College Oxford, and he was called to the Bar at Lincoln's Inn.² Of the manner of his life and studies we have no account, unless the description of law-student life in his Treatise be taken from his own experience. In that case Fortescue was one of an hundred or more young men, all "gentlemen by birth and fortune, spending, at least, eight and twenty pounds a year each,"³ (an allowance equal, by Hallam's computation, to more than £400), with a servant to wait upon him, and joining in the studies and amusements thus detailed. "Both in the Inns of Court and Inns of Chancery is an academy where the students learn fingering and all kinds of music, dancing and other such accomplishments (which are called Revels), as are suited to their quality, and such as are usually practised at Court; out of term the greater part apply themselves to the study of the law. Upon festival days, after the services of the church are over, they employ themselves with study of history, sacred and profane. There everything which is good and virtuous is to be learned; all vice is discouraged and banished, so that knights, barons, and the greatest nobility of the kingdom often place their children in the Inns of Court, not so much to make the laws their study, as to form their manners, and to keep them from vice. Bickerings and disturbances are almost unknown. The only punishment is expulsion from the Society, more dreaded than imprisonment and irons by criminals, because he who is turned out of one Society is never received into another; thus there is constant harmony, and the greatest friendship and freedom of conversation."

This picture, although it may be somewhat over-coloured, describes an education well calculated to develop such a character as that which throughout his career belonged to Sir John Fortescue.

In the year 1425, 4 Henry VI., he was made a Governor of Lincoln's Inn; next year again, and a third time in 1429, 7 Henry VI. In the two first entries⁴ in Dugdale's "Origines Judiciales" he appears as "Fortescue Junior," which makes it probable that his elder brother, Sir Henry, was also a member of that Inn.

Of his career, until he became a serjeant, nothing is told, how soon or how late he

¹ De Laudibus, Ed. Amos, p. 261, chap. 50.

² Campbell, i. 371. Tanner, Bib. Brit., London, 1748, p. 293. Biog. Brit., iii. 2087.

³ Hallam, Middle Ages, chap. ix., where he estimates the value of money now at sixteen times that in the time of Henry VI.

⁴ Dugdale, Origines, p. 249; De Laudibus, chap. 50.

got into practice, by what means, or to what extent. It is likely that he took that degree soon after his standing at the bar had qualified him for it, if we may judge by the number of years he lived afterwards, and the date of his promotion, in Michaelmas Term, 1430.¹ Of the particulars of an investiture with the White Silk Coif, the badge of his new rank, we have his own account: "The Lord Chief Justice of the Common Pleas, by and with the advice and consent of all the Judges, is wont to pitch upon, as often as he sees fitting, seven or eight of the discreeter persons, such as have made the greatest proficiency in the general study of the laws, and whom they judge best qualified. At the time and place appointed, those who are so chosen hold a sumptuous feast, like that at a coronation, which is to continue for seven days together; neither shall any one of the new-created sergeants be at a less expense suitable to the solemnity of his creation, than two hundred and sixty pounds and upwards, whereby the expenses in the whole which the eight will be at will exceed three thousand two hundred marks, to make up which, one article is, every one shall make presents of gold rings, to the value, in the whole, of forty pounds (at the least) English money."

"I very well remember," he says, "that when I took upon me the state and degree of a sergeant-at-law, my bill for gold rings came to fifty pounds."

He then proceeds to tell us how this large sum, no less than eight hundred pounds of our present money, if we are to follow Hallam, was disposed of.

"Each sergeant at the time of his creation gives to every prince of the blood, to every duke, and to each archbishop who shall be present at the solemnity, to the Lord High Chancellor, and to the Treasurer of England, to each a ring of the value of twenty-six shillings and eightpence; to every earl and bishop, to the Keeper of the Privy Seal, to each Chief Justice, to the Chief Baron of the King's Exchequer, a ring worth twenty shillings; and to every other lord of Parliament, to every abbot, and to every prelate of distinction, every worshipful knight there and then present, to the Master of the Rolls, and to every justice, a ring to the value of one mark; to each Baron of the Exchequer, to the Chamberlain, and to all the great men at Court then in waiting on the King, rings of a less value in proportion to their rank and quality, so that there will not be the meanest clerk, especially in the Court of Common Pleas, but that he will receive a ring convenient for his degree. Besides, they usually make presents of rings received of their friends and acquaintance."

"They give also liveries of cloth of the same price and colour, which are distributed in great quantities, not only to their menial servants, but to several others, their friends and acquaintance, who attended at the ceremony of their creation."

¹ Dugdale, Chron. Series, p. 61; Biographia Britannica (but Foss, Lives of the Judges, vol. iv., gives Michaelmas, 1429, for the sergeant's creation). The Year-Book may clear up this point.

It is probable that Fortescue's marriage took place during this period of his life. He certainly was a married man in the end of 1435 or early in 1436, as appears by the Deed of 14 Henry VI. already referred to, when "Isabella, wife of said John," is mentioned; and it is likely that he had then been so for some two or three years, for his only son, Martin, who died in 1472, left at his death a son and heir aged twelve years.

Sir John's wife was Isabella Jamys, daughter and heiress of John Jamys, Esquire, of Philip's Norton, in Somerset, on the borders of Wiltshire, near Bath. In the "Patent Rolls"¹ of 21 Henry VI. is "an inspeximus and confirmation of a grant by the Prior of the Carthusian order of Hinton (Hinton-Charterhouse) to John Fortescue and Isabella his wife, and Margery, mother of Isabella, of messuages in Philips Norton," the grant being dated the Tuesday after the feast of St. Hilary, 19 Henry VI. (i. e. January 14th to 21st, 1441, St. Hilary's day being on the 13th January), and the inspeximus bearing date Westminster, the 12th of February, 21 Hen. VI. (1443).

The document recites that the said Isabella was the daughter of Margery, who was wife of John Jamys, of Philip's Norton. The estate thus acquired remained in the Chancellor's family until it was sold in the year 1725 to Mr. Frip, by Hugh Fortescue, Earl Clinton.² The Fortescue arms may still be seen in stone on a house in the village of Norton St. Philip's.³ By the same lady he acquired lands in Wilts.⁴ Thus we read that "John Fortescue, Knight, and Isabella his wife granted by Deed, dated Nov. 21, 35 Hen. VI. (1456), to Robert Brigge, the reversion of a tenement at Bradford, Wilts."

The statement made by several authors that the Chancellor's wife was Elizabeth, daughter of Sir Myles Stapleton, is an error, that lady being the second wife of Sir John Fortescue of Punbourn, so given in an Inquisition Post-mortem taken at Royston in Hertfordshire in July, 1501, upon the death of the said Sir John, who was nephew to the Chancellor, and died July 28, A. D. 1500. Elizabeth Stapleton was the widow of Sir William Calthorpe, Knight.⁵

The issue of the marriage was an only son, Martin, styled in some documents Sir Martin, and at least two daughters. Martin married, in 1454,⁶ Elizabeth, daughter and heiress of Richard Denzile, Esquire, of Wear-Giffard, who inherited that property as well as the estates of Filleigh (now Castle Hill) and Buckland-Filleigh. He died before his father. Sir John's

¹ Patent Rolls, 21 Hen. VI., Pt. ii. No. 34. The entire document is given in the Appendix to this Chapter.

² Letter to the Author from Earl Fortescue, Nov. 6, 1866.

³ Information from Mr. Jackson, Librarian at Longleat, August, 1866.

⁴ Notitiæ and Pedigrees concerning the Family of the Fortescues, Brit. Mus. Add. MS. 15,629; f. 62^b.

⁵ Inq. Post-mortem, 16 Hen. VII., No. 3, Brit. Mus., and Notitiæ and Pedigrees of Fortescue Family, Brit. Mus. Add. MS., from Peter le Neve, (Norroy,) and Blomefield's Norfolk, ix. 222. ed. 8vo.

⁶ The marriage settlement, seen by the author of *Stemmata Fortescuana*, is dated September 10, 33 Hen. VI. (1454).

daughter, Elizabeth, was married, about 1456,¹ to Edmond, son of Thomas Whalesburgh, Esquire, of the county of Cornwall.

The other daughter, Maud, married Robert Corbet, son of Sir Robert Corbet, a very unfortunate alliance, as appears from what Blomefield, in his "History of Norfolk," thus relates:²—

"Maud, daughter of Sir John Fortescue, Lord Chief Justice, who had the Lordship of Durham Parva in the 33rd of Henry the Sixth (A.D. 1455), married Robert, son of Sir Robert Corbet. He forsook her, and re-married Lettice, daughter of John Shirewood of Coventry, and left issue by this Lettice, Robert and Alice. His first wife, Maude, from whom he was never divorced, surviving him,—upon his death Robert Corbet, Esquire, his brother, second son of Sir Robert afore said, made an entry into his lands as next and legal heir; but Lettice afore said having re-married Talboys, a servant to Thomas Rotherham, Archbishop of York and Chancellor of England, Roger sued him in the Spiritual Court of Canterbury, and Talboys procuring a prohibition, Roger appealed to Rome, and a suit was directed by Archbishop Rotherham to Roger of 'ne exeat regno.' Upon this Roger was laid up in the Court two years, but being enlarged in the last year of King Edward the Fourth (1483), died presently after."

"It appears that Maud, the first wife of Robert, had a jointure of twenty marks per annum out of this manor. She retired, and lived in the Nunnery of Helveston, in Bedfordshire, and died there."

After Fortescue's promotion to be serjeant the Year-Books are no longer silent concerning him, but make frequent mention of his arguments.

His practice was large, and his knowledge of English law conspicuous. He acted upon some emergencies as Judge of Assize, in which capacity he went the Norfolk Circuit in 1440 and 1441 (18 & 19 Hen. VI.).

In the latter year, in Easter Term, he was appointed a King's Serjeant;³ and when the death of Sir John Hody made a vacancy in the Chief Justiceship, he, without having passed through the intermediate step of a Junior Judge, was, on the 25th of January, 1442, (20 Hen. VI.), raised to that high place.⁴ Here his reputation as a great judge was soon and permanently established, and here he continued for more than eighteen years to pronounce those judgments and expositions of the laws which are still quoted with respect.

The late Lord Campbell, a great admirer of Fortescue, says of him that "he discharged his duties as Chief Judge with extraordinary ability, and seems to have been one of the most learned and upright men who ever sat in the Court of Queen's Bench;"⁵ and in another

¹ Exchequer of Pleas, 34 Hen. VI.

² Blomefield's Norfolk, vol. ix. p. 479 (8vo edition).

³ Dugdale, Chron. Series, p. 63. "Johannes Fortescu serviens Regis ad Legem. Pasch. 19 Hen. VI."

⁴ Dugdale, Chron. Series, p. 62.

⁵ Campbell, Lives of Chancellors, vol. i. p. 376.

place he calls him "one of the most illustrious of the Chief Justices, for ever to be had in remembrance for his judicial integrity;"¹ and Fuller, in his "Worthies of England," joining him with Chief Justice Markham, his immediate successor, says:² "These I may call two Chief Justices of the Chief Justices, for their signal integrity; for though the one of them favoured the House of Lancaster, and the other the House of York, in the titles to the Crown, both of them favoured the House of Justice in matters betwixt party and party."

The Chief Justice was knighted upon his appointment or soon after. I find him styled "Miles" first in June, 1443.³

We have to regret the almost complete absence of notices of his life during the eighteen or nineteen years of his Chief Justiceship. None of his correspondence has come down to us, and his name occurs but seldom in the scanty memorials of contemporary events not purely military, which have survived the troublous times that ensued.

The first reference to him that I can find is in the Paston Letters the year after his promotion, in a letter written by his desire to a brother Judge, Sir William Paston: ⁴—

"To my right worthy and worshipful Lord, William Paston, Justice, in haste.

"Please it your good Lordship to weet, that the Chief Justice of the King's Bench commendeth him to you, and is right sorry of the matter that is cause of your none coming hither, but he will do all that he can or may for you.

"He hath had a sciatica that hath letted him a great while to ride, and dare not yet come on none horse's back, and therefore he hath spoken to the Lords of the Council, and informed them of your sickness, and his also, that he may not ride at these next assizes to East Grinstead; and though those assizes discontinue pur noun veno dez Justices, he hopeth to be excused, and ye also.

"And as for the remanent of the assizes, he shall purvey to be there by water; and Almighty Jesu make you heyle and strong.

"Written right simply, the Wednesday next tofore the Feast of the Purification of our Lady, at London,

"By your most simple servant,

"JAMES GRESHAM.⁵

"London, Wednesday,

"30th of January, 1443. 22 Hen. VI."

¹ Campbell, Chief Justices, vol. i. p. 141.

² Fuller, Worthies, vol. ii. p. 571, article Markham (8vo. edition).

³ Will of John Cheddar, of Cheddar, in Dodsworth MS.

⁴ Paston Letters: Letter VI. vol. iii. p. 27; Sir William Paston, born in 1378, made a Judge of the Common Pleas in 1430, died in 1444 (see Preface to Fenn's edition).

⁵ He appears to have been Sir John Fortescue's Secretary.

The absence at that period of any carriage-road between London and the Assize town of one of the home counties is worthy of remark. All who were unable to walk, or to ride on horseback, could only reach the Suffex coast by a sea voyage!

In this year we find him sitting as a Councillor in "The Starred Chamber"¹ on several occasions; and serious tumults having occurred at Norwich on account of certain ecclesiastical exactions, a special commission was issued to him and others in the month of March for the trial of the rioters. The event is thus noticed in the Proceedings of the Privy Council:²—

"The Commons arose, and would have assaulted and fired the Priory, and have destroyed the Prior of the place, &c. Whereupon the King sent thither the Chief Justice John Fortescue, the Earl of Stafford, and the Earl of Huntingdon; and sitten then in Sessions, at the which were many of the City there indited, and the Prior also, and also the City lost their liberties, and franchises, and freedoms that they had afore, and all the City seized into the King's hand . . . And the Chief Judge Fortescue and Westbury Judge, declarenden all their demenyng at Norwich."

In the Parliament held at Westminster in 1444³ (23 Hen. VI.) on the 25th of February, Fortescue was named as one of the "Triers of Petitions," thus:—

"Ipso domino Rege fede Regia in Camera depicta apud West^r, residente.

"Sont assignez Triours des Petitions d'Engleterre, Irland, Gales et Ecoce. The Cardinal Archbishop D'Everwyck, Duke of Gloucester, Duke of Norfolk, Bishops of London, Rochester, Norwich, and Ely, the Marquis of Dorset, Earls of Arundel and Oxford, the Prior of St. John of Jerusalem in England, the Abbots of St. Albion, of St. Austin of Canterbury, and of Gloucester, Le Sire Grey de Ruthyn, Le Sire de Dudley, Le Sire de Faulconberge, Le Sire John Fortescu, and William Westbury, et tiendront leur place en la Chambre du Chambellain, pres la Chambre du Peinte."

He was re-appointed in each Parliament until that of July, 1455, inclusive.

His conduct in the case of Thomas Kerver attracted notice at the time,⁴ and deserves to be mentioned to his credit. Kerver had been imprisoned for some offence in Wallingford Castle, when the King pardoned him, and wished him to be released; but Fortescue, to whom the King sent his commands to issue his writ for the purpose, considered that he had no right or legal power to do so, and refused to comply. Bentley conjectures that this refusal arose from his disapproval of the favour shown to Kerver, or from doubts as to its legality, and admires his bold and upright behaviour. Henry had recourse to his Chancellor, to whom he addressed this letter.

¹ This Council must not be confounded with the Court of Star Chamber, not then established.

² Proceedings and Ordinances of the Privy Council, Nicholas, vol. v. cxxiv.-cxxv. &c.

³ Rolls of Parliament, vol. v. p. 66, &c. &c.

⁴ Bentley, *Excerpta Historica*, folio 390.

LETTER *from* HENRY THE SIXTH *to the* CHANCELLOR, *commanding him to issue his writ to the Constable of Wallingford Castle, to deliver Thomas Kerver from imprisonment.*

By the KING.

Right Reënd fader in god, Right trusty and Right welbeloved We grete you wel. And how be hit that we now late sent unto oure trusty and welbeloved Knight John ffortescu oure chief Justice charging hym to deliver oute of oure Castel of Walyngford in our behalve Thomas Keruer, which by oure cōmaundement hath long tyme been in ward in ye prison of oure said Castel, yet nathelefs ye said John ffortescu hath do us to under-stande, that he hath no pouair so to do in any wise, Wherefore we wolling for certain causes and confideraçons especially moeving us, the forsaid Thomas to be in brief tyme delived out of ye said prison without any firther delay, charge you yat ye do make oure writte in due fourme directed unto the Counestable of our said Castel or his depute cōmaunding him straitly to deliver ye forsaid Thomas out of ye forsaid prison, and to souffre hym to goo at large. And yat ye faille not herof as we truste you. Lating you wite yat it is oure ful wille yat ye shal so do. And we wol theese our lres to be unto you souffisant warrant & discharge in yat behalve. Yeven under our signet at Pottern the XXV day of Aoust the yere of our Regne XXV. (A.D. 1447.)

To the Right Reverend fader in god our Right trusty and Right welbeloved tharchbishop of Cant' our Chauncellier of Englande.¹

In the same year we find Fortescue engaged in a case connected with his own county of Devon, relating to a dispute between the Mayor and the Bishop of Exeter, as to the limits of their respective jurisdictions.² The quarrel was by the King referred for arbitration to the Chancellor, Kempe Archbishop of Canterbury, Chief Justice Fortescue, and Chief Justice Newton. Fortescue, who was at the time staying at Exeter, and who was considered by the Mayor "likely to have the great rule in this matter," received the following letter from the Chancellor to urge his action on the spot:—

"The CHANCELLOR to Chief Justice FORTESCUE.

"Worshipfull and right wellbeloved Friend. I greet you well, and doubt not ye be well remembered of that matter which hath long time abiden in traverse betwixt my Brother of Exeter the Dean and Chapter, and the Mayor and the Commonalty of Excetre, wherein

¹ Miscellaneous Records in the Tower.

² See Letters and Papers of John Shillingford, Mayor of Exeter, 1447-50, by Stuart A. Moore, in Camden Society's Publications, 1871.

ye for your part have had great labour : I pray you, confidering the matter is attained at large in the common law not likely by that mean to be ended lightly, as your wisdom knoweth well, you like at this time in your being there to move and induce my said Brother and all parties to put the matter in entreaty at home, trusting as me seemeth fully with more charity and less cost the matter to take sooner end by that mean than by process or rigour of law, without your displeasure. And almighty Jhesu have you in his keeping. Written," &c. &c.

As the Mayor's own account of the transactions has come down to us, and as it gives us glimpses of the Chancellor's mode of life, and of the manners of his time, a few extracts may be of interest to his descendants.

Writing from London on the 2nd of November, 1447, to the members of his Corporation, Shillingford says, "I wrote to you that I had a day to appear before the Lords" (*i. e.*, the three arbitrators), "for our matter the Friday next thereafter ; and for as much as my Lord Chancellor bade the Justice (Fortescue) to dinner against that same day for our matter, saying he should have a dish of salt fish : I hearing this, I did as methought ought to be done, and by advice of the Justice, and of our Counsel I sent thither two stately pickerells, and two stately tenches, for the which my Lord Chancellor could right great thanks, and made right much thereof hardely ; for it came in good season, for my Lords the Duke of Bokyngham, the Markis of Southfolke and other Bishops divers dined with the Lord Chancellor that day. But as touching the labour and speed of our matter that day, it was by my said Lord adjourned over in to the morn Saturday for these causes that a great disputation was before my Lord in his Chapel at Lambeth for preaching of Bishops, and the said Lords that same Friday were there at dinner, and the Justice came not there that day ; but the same Friday after meat I was with the Justice by long time, and in good leisure to commune of our matter. I find him a good man, and well-willed in our right, and like to have the great rule in the matter, as in the other letter, and he bade me move of some good mean to end the matter and so were on great arguments by long time, too long to write, all it was to tempt me with laughing cheer."

Then follows an account of a meeting of the three arbitrators, adjourned from Sunday to Monday, because that "Sunday the Chief Justices Fortescue and Newton dined with the Mayor of London."

The Chancellor invites to dinner on the Monday the two Chief Justices, after which several counsel employed on either side are in attendance.

"My Lord Chancellor therewith suddenly went right to the Justices brother, and called to him Nicholas Ayssheton at that time being there, and laid their four heddis nigh to gedder and communed to gedder right privily a great while. After that my Lord took his chair and the Justices sat with him, and both parties with their counsel kneeled before." Another deliberation took place at the next Candlemas at Lambeth Palace, which the Mayor



Melospiza melodia

of Exeter describes. Having knelt to the Chancellor-Archbishop and offered his candle to "my Lord's blessed hond," I abode there to meet by his commandment. I met with my Lord at high table end coming to meatward. I went forth with him to the midst of the hall, he standing in his astate against the fire a great while, and two Bishops, the two Chief Justices, and other Lords, Knights and Squires, and other common people a great multitude, the hall full all standing afar apart from him, I kneeling by him, and after recommendation I moved him of our matter shortly, as time asked. Meat ydone my Lord took his chamber the estates and others with him. I put me in pefs and to my Lord, and spake with him right a great while so that he called the two Justices to him, and moved of our matter. The Chief Justice (Fortescue) said much thing for our part, and quit him a good man to us."

He seems, indeed, to have been throughout favourable to the Mayor and Corporation of Exeter. We find such entries as these, "I spake with the Chief Justice Sir John Fortescue, going with him homeward, and had with him right much good language, and words of comfort;" and again, "and then they communded a great while, and my Lord Fortescue said many things as me thought, and once I heard him say with a right glad spirit, an my Lord Chancellor will be indifferent, we shall have a good end I trust to Almighty God and our Lady."

The matter in dispute was settled by agreement before the end of the year 1448.

There is a letter in the Paston correspondence,¹ written between 1450 and 1454 by one T. Bocking to William Wayte, containing the following curious sentence:—

"The Chief Justice hath waited² to have been assaulted all this sev'night nightly in his house, but nothing come as yet, the more pity, &c. &c. An oyer and determiner goeth into Kent, and commissioners my Lord the Duke of York, Bouchier, my master, that will not come then de prodicionibus, &c. &c., but Kent prayeth them to hang no man when they come."

It would seem that the writer was, like his master, a follower of the York party, which may account for his savage language about Fortescue the Lancastrian. The editor of the Paston Letters surmises that the Commission may have been to try some of the persons implicated in Cade's rebellion.

In the year 1457, Sir John purchased from Sir Robert Corbet the reversion, after the decease of "Joyes, or 'Jocosa,' late the wife of John Grevyle, Esquier," of the manor and appurtenances of Ebrington, or Ebberton, near Campden, in Gloucestershire, for the sum of one hundred and fifty-one pounds."³ This estate, forfeited by his attainder, was granted to Sir John Brug, who died seized of it in the 11th year of Edward IV.,⁴ 1471 or 1472, a

¹ Paston Letters, vol. iii. p. 135.

³ See the Release.

² "Waited" here means "expected."

⁴ Rudder's Gloucestershire, p. 434.

short time before its restoration to the Chancellor, in whose family it has ever since continued, and is now the property of Earl Fortescue.

A copy of the release of the manor of Ebrington will be interesting, and is therefore given in full :—

*Release of Manor of Ebrington.*¹

To alle men to whom this wrytyng shal come, Rob^t Corbet Knyght sende gretynge in oure Lord. For asmuch as I have solde to Sir John Fortescu Knyght in fee symple the reversion of the Manour of Ebryghton in the Counte of Gloucestre with the apptenaunces, to be had after the deceffe of Joyes late the Wif of John Grevyle Esquier for cli. pounds to be payed to me in certayn fourme betwene us, accorded by reason of which sale I have by my dede enrolled and subscribed with myne owne hande granted the same reuerfion to the said Sir John and other named with hym, to his vse in fee by vertu of which the said Joyes hath attourned to the said Sir John; and also I have delyuered to the same Sir John alle the evidences which ever come to myne handes concernyng the said Manour; I woll and desire as well the foresaid Joyes, the Abbot of Wynccombe, and alle other personnes in whos handes the said Sir John or his heyres can wete or aspye any of the forsaide evydences to be kepte, to delyuer the same evydences to ham, for the right and title of the reuerfion of the said Manour is nowe clerely, trewly, and lawefully in the said Sir John, his co-feoffees and theyre heyres, and from me and myne heyres for euer moore, and the said Manour nor the reuerfion thereof, was neuer tayled to me nor none of myne auncestres, but alway in us hathe be possessed in fee symple, as far as euer I coude knowe by any evydence or by any manner, sayyng by my trouthe. Wherfor I charge Rob^t my sone, and myne heyre, his issue, and alle thos that shal be myne heyres hereafter, vpon my blessing, that they neuer vexe, implede, ne greve the forsaide Sir John, his said cofeoffees, theyre heyres, nor assignees, for the forsaide Manour; and if they do, knowyng this my prohibicion I note wel they shal haue the curse of God, for theyre wronge and owr trouthe, and also they shal haue my curse, Witnyfying this my wrytyng vnder my seale, and subscribed with myne owne hande, Wreten the v day of December, the yere of the reigne of Kyng Henry VI^{to} after the conqueste XXXVth.

(L.S.) SIR ROBERD CORBET KNYTH.

An Inquisition² into Fortescue's property, taken after the Act of Attainder, shows that he had acquired, besides Ebrington, estates in Wiltshire at Kingston-Deverell, Ironbridge, and Chippenham, at some period of his legal career. To these must be added a portion of his father's estate in South Devon, which he inherited at his death, between 1435 and 1437, described in the Inquisition as Combe in Holbeton, Overcombe, Nethercombe, Efford, and Alftone.

The salary attached to his Chief Justice's place was granted to him by Patent,³ bearing the same date with his appointment, that is to say, January 25th, 20 Hen. VI. (1442). It

¹ Campbell, *Lives of Chancellors*, vol. i. p. 376.

² See Inquisition at Amesbury, 7 Ed. IV. among Inq. Post-mortem, Brit. Mus., and Appendix.

³ Patent Rolls, 20 Hen. VI. Membrane 10.

was 180 marks, equal to £150 per annum, together with 106 shillings, and 11 pence farthing, and one-eighth of a halfpenny, for a robe with fur trimming at Christmas, and fifty-six shillings and sixpence for a robe and its lining at Whitsuntide.

Not many days later, namely, on the 6th of February, the King grants him by patent a Tun (dolum) of Wine annually for his life, to be given to him by the Chief Butler of England from the port of Bristol.¹

And a second yearly Tun was added by a New Patent of the 23rd of May, 1443, also for his life, in consideration "of the good service which the said John Fortescue performs and may hereafter perform for US."

These two Tuns² are specially exempted in the Act of Resumption of Grants, passed in the 34th Henry VI. (1455), by the following clause: "Provided also that this Act of Resumption be not prejudicial, nor extend to the Grant which we have made by our Letters Patentes to John Fortescu Knight, of two Tun of Wine to be taken yearly in the Port of London for the term of his life."

An addition to his salary of forty marks per annum³ was made in the year 1447 by a patent of the 22nd of March, which recites that this grant shall be for his life, and that its object is to enable him to keep up his state more becomingly, and to meet his expenditure while in his office of Chief Justice, and also that expenditure which it will be fitting that he should make when he shall have ceased to hold the said office—a thoughtful precaution.

The text of three of the four above-named Patents, which have come down to us, is given in the Appendix.

In the year 1459 Fortescue was present at Coventry during the sitting there of the Parliament, called together at that time chiefly for the purpose of passing Acts of Attainder against the Duke of York and his adherents.⁴

Fortescue continued to act as Chief Justice until the dethronement of Henry, and the success of Edward made it impossible for him to do so longer. He remained long enough,⁵ however, to have Yorkist partisans indicted before him, and was not actually superseded until Sir John Markham was created by Edward IV. his Chief Justice on the 13th of May, 1461,⁶ more than two months after the Battle of Towton, and after Edward's accession to the throne.

Fortescue, however, could not well have sat at Westminster later than the first half of 1460, for the last record of his appearance in the Year-Books is as having presided in the Court of King's Bench in Easter Term, 1460 (38th of Henry VI.),⁷ although there were

¹ Rymer, v. part i. p. 120. A Tun of Wine contains 63 gallons, or 84 dozen of quart bottles.

² Rolls of Parliament, vol. v. p. 317.

³ Patent Roll, 25th Hen. VI.

⁴ Paston Letters (ed. Gairdner), vol. i. p. 499.

⁵ Campbell's Chief Justices, i. 141.

⁶ Dugdale, Orig. Chronica Series, p. 66, claus. i. Ed. IV.

⁷ Foss, Lives of Judges.

two or three cases reported in the King's Bench or Exchequer Chamber in the three following Terms.¹

His legal career was now over for ever—not, as he soon proved, from any loss of vigour of mind or body, but because he had determined to follow the shattered fortunes of his Royal master, and had taken his part as a Lancastrian adherent.

Henry, set free from captivity by the defeat of the Yorkists at St. Alban's on the 17th of February, 1461, had rejoined there his Queen and her forces, and retired with the army towards the Northern Counties where the strength of his party lay. Here Fortescue accompanied them, and not long after he had exchanged the dignified calm of a Judge's life for the tumult of the camp, he was found bravely fighting for the falling cause on the 29th of March in the bloody battle of Palm-Sunday² between the villages of Towton and Saxton in Yorkshire. Here, says Holingshed, "in a fair plain field,"³ Edward with 60,000 followers approached Henry with 48,000, "about nine of the clock in the morning. When each perceived the other they made a great shout, and at the same instant there fell a small fleet or snow, which, by the violence of the wind which blew against them, was driven into the faces of King Henrie's armies, so that their fight was somewhat dimmed, and they shot their sheaf-arrows all to loss, for they came short of the Southern men by threescore yards." In spite of this bad beginning "the deadliest conflict continued ten hours in doubtful state of victory, uncertainly heaving and setting on both sides. The battle was sore foughten, for hope of life was set aside on either part, and taking of prisoners proclaimed a great offense, so every man determined to vanquish or die in the field; but in the end King Edward so courageously comforted his men, that the other part was discomfited and overcome, and fled to Tadcaster bridge to save themselves; in the mid-way whither is a little brook called Cocke, not very broad but of a great deepeness, in which, what for haste to escape, and what for fear of their followers, a great number was drowned. It was even reported that men alive passed the river upon dead carcases, and that the great river of Wharfe whereinto that brook doth run, and all the water coming from Towton was coloured with blood. The chase lasted all night and the next day, the Northern men often turning upon their pursuers to the great loss of both sides, whose total loss is set down at upwards of 36,000 slain."

From this great blow the Lancastrians never recovered; Henry with Queen Margaret and the Prince fled to Berwick-upon-Tweed, and Fortescue with them, as we learn from Leland, who writes that "King Henry, the Prince, the Queen, the Duke of Somerset, Henry Duke of Excestre, the Lord Roos, Sir John Fortescue Chief Judge of England, and Tailboys Erle of Kyme, being at York and hearing of this, fled first to Newcastle and then to Berwick delivering it to the Scots."⁴

¹ Selden, Preface to *De Laudibus*, folio xlvi. note.

² Hol. iii. 278.

³ Rolls of Parliament, vol. v. p. 479.

⁴ Leland's *Collectanea*, vol. ii. p. 499.

We find Fortescue still on the English side of the border in the end of June, when, in attendance on King Henry, he was engaged in an encounter with the Yorkists at Braunceth near Durham, and at Ryton near Newcastle. Soon after these events he retired with Henry to Edinburgh.

At this period of Fortescue's career in which his appointment as Lord Chancellor to Henry VI. must in one sense or another have taken place, we may stop to consider what claims he has to be enrolled amongst those who de facto filled the office of Chancellor of England. That he was Chancellor to Henry during his exile is a fact which has not been disputed, but it is held by most writers that he never was Chancellor within the realm of England—we shall see how far this statement is accurately true. It must, I think, be at once admitted that if Henry's legal power to appoint a high officer of State ceased upon the proclamation of Edward as King of England, it is highly improbable that he ever received a valid appointment, for Henry was in the power of his enemies until the battle of St. Alban's on the 17th of February 1461, and certainly could not until that day have superseded George Neville who was up to that time nominally his Chancellor, although really under the House of York, by the appointment of another person. There remained then only the short space of fifteen days to the 4th of March, passed in tumult and confusion, in which Fortescue could have had the Seals before Henry's reign is generally held to have ceased. There is no entry on the records concerning the Great Seal between Neville's creation on the 25th of July, 1460, and the 10th of March, 1461, when he took the oaths to the new King.¹

There was, however, a period of above four months from the battle of St. Alban's, during which Henry was still in England and in possession of some, though but a small part, of his dominions; for he is charged in the Act of his Attainder with levying war in his own person against Edward in Durham² on the 26th of June, 1461, and here, as we have seen, Sir John Fortescue was with him. It seems very likely that one of his first acts upon regaining his freedom was to create a Chancellor, who by sealing his writs with the Great Seal could help to keep up the appearance of kingly power when but little of its substance remained to him; and the very presence in his retinue of the venerable and famous Lord Chief Justice of England would in itself naturally suggest such an appointment. That Henry had a Great Seal after his expulsion we know from Queen Margaret's instructions to Ormond in Portugal where it is expressly mentioned. Thus Fortescue may well have been Henry's Chancellor in England, and while there was still some part of the country which acknowledged his rule.

This probability seems to have escaped the notice of some of his biographers, whose views of his claim to rank as Chancellor I proceed to give.

¹ Campbell, *Lives of Chancellors*, i. 370.

² *Rolls of Parliament*, v. 478.

Spelman, in his list of Chief Justices, says of him : "Notior in ore omnium nomine Cancellarii, quam Justiciarii, diu tamen functus est hoc munere, illo vix aliquando. Confitui enim videtur Cancellarius, non nisi a victo et exulante apud Scotos Rege Henrico sexto, nec referri igitur in archiva regia ejus institutio, sed cognosci maxime e libelli sui ipsius inscriptione."

Gregor, in the Preface to his Edition of "*De Laudibus*,"¹ writes: "As to the promotion of Sir John Fortescue, there is no doubt but that he was Chancellor in some sort. But when, or to what purpose, whether even during the actual reign of Henry VI. or so as to exercise his office in Westminster Hall, may be a question. He accompanied the King into Scotland, stayed with him and writ for his title there. There, or before in England, he might be made Chancellor, as Sir Edward Hyde was in Charles the Second's exile."

The writer in the "*Biographia Britannica*" lays stress upon the title of "Chief Judge of England,"² given to Sir John in the passage from Leland quoted above, saying that "this plainly shews that he was only Chief Justice when he attended his Master into Scotland," he, like others, assuming that the retreat to that country took place at once; but adds, "as from the time that he left King Henry there he never saw him any more, there seems to be no room to doubt that he received the Great Seal from that King there as soon as it was known that George, Bishop of Exeter, afterwards Archbishop of York, continued to bear the title, and execute the office of Lord Chancellor by the authority of King Edward."

If this be correct, Fortescue was for some months Chancellor in England; and the absence of his name from the Roll of Chancellors is also accounted for.

Lord Campbell,³ who writes of him with veneration, "suspects that he had only the titular office of Chancellor in partibus," but, nevertheless, says that he feels called on to include him in his series of English Chancellors; while many of the older writers, as Bale,⁴ copied by Pits, Fuller,⁵ Pole,⁶ and Tanner,⁷ style him Chancellor of England without any expressions of doubt or qualification.

Sir John remained in Scotland with Henry upon his retirement there from Berwick, the Scotch King having, either from pity for his misfortunes, or in return for Henry handing over to him that town, allowed him to take up his abode in Edinburgh, when he was lodged in the Grey Friars,⁸ a residence which his love of solitude selected.

Here Margaret's energies were soon employed in trying to engage the King of France to interfere in behalf of his nephew, her husband, and she prepared to sail for that country

¹ Fortescue, *De Laudibus*, by Gregor, 1737, folio, Preface, p. xlv.

² *Biog. Brit. Edition*, 1750, vol. iii. p. 1990. See p. 62 of this vol.

⁴ Bale, *Scriptores Mag. Brit.* (8th century).

⁶ Pole, *Collections for Devon*.

⁸ Guthrie, *Hist. Eng.* vol. ii. p. 692.

³ Campbell, vol. i. p. 370.

⁵ Fuller, *Worthies of England*.

⁷ Tanner, *Bibl. Brit. Hib.*



Chancellor Fortescue temp. Hen. VI.

Chancellor to the then Prince of Wales.

The Drawing is in the Hands of G. Hardinge Esq. of the Temple.

The above sketch, with the remarks beneath it, was communicated to the Society of Antiquaries on the 21st. December, 1769, by the Hon^{ble}. Daines Barrington.

with the Prince, but the death of Charles VII. at this time seems for the present to have stopped her, and, as the following letter shows, with good reason:—

LETTER *from* LORD HUNGERFORD *and* SIR ROBERT WHITYNGHAM *to* QUEENE MARGARET.

A la Reyne D'engleterre,

Escote,

MADAM,—Pleafe it yo^r gode God we have fith our comyng hider writen to yo^r Highnes thryes the last we sent by Bruges to be sent to you by the first vessell that went into Scotland the oder two letters we sent from Depe the t'on by the Carvell in the whiche we came and the oder in a noder vessell but madam all was oon thyng in substance of puttyng you in knolege of the Kyng your Uncles deth whom God affoyll and howe we stode areft and doo yet, but on tuiysday next we trust and understande we shall up to the King yo^r Cofyn germayn, his comyssaries at the first of our tarrying toke all our letters and writyngs and bere theym up to the Kyng levying my Lord of Som'set in kepyng atte Castell of Arkes and my felowe Whityngham and me, ffor we had fauff conduct in the Town of Depe where we ar yete. But on Tyysday next we understande that it pleafeth the said Kyngs Highnes that we shall come to hys p'fence and ar charged to bring us up Mons^r. de Cressell nowe Baillyf of Canse and Mons^r. de la Mot. Madam ferth you not but be of gode comfort and beware that ye aventure not your p'son, ne my Lord the Prynce by the see till ye have oder word from us in lesse than your p'son cannot be sure there as ye ar, that extreme necessite dryfe you thens and for God sake the Kyngs Highnes be advysed the sayme, ffor as we be enformed Therll of March is into Wales by land and has sent his navy thider by see, and Ma Dame thynketh verily we shall not soner be delyvered but yt we woll come streght to you w'aut Deth take us by the wey, the which we trust he will not till we see the Kyng and you peissible ayene in your Reame, the which we besech God soon to see and to send you that your Highnes desireth. Writen at Depe the xxxⁱⁱ day of August. (1461).

Yo^r true Subgettes and Liege men

HUNGERFORD,

WHITYNGHAM.

At the bottom of the copy of the Letter is added:—

These are the names of those men that ar in Scotland w^t the Quene. The Kyng Henry is at Kirkhowbre w^t four men and a childe. Quene Margaret is at Edenburgh and hir Son. The Lord Roos and his Son.

John Ormond
 Will'm Taylboys
 S^r John Fortescu
 S^r Thomas Fyndern
 S^r Edmund Hampden
 S^r Henry Roos
 John Courtney
 Myrfyn of Kent
 Waynesford of London
 Tho^s Thompson of Guynes
 Tho^s Brampton of Guynes
 John Audeley of Guynes¹

Langheyn of Irland
 Thomas Philip of Ipswich
 Danfon
 Tho^s Burnby
 Borret of Suffex
 S^r John Welpdalle
 M^r Roger Clerk of London
 John Retford late Coubitt
 Giles Senctlowe
 John Hawt

Henry meanwhile continued in Scotland, the Chancellor employing his leisure in composing those "wrytings sent out of Scotteland," which he was destined afterwards to explain or refute to King Edward's satisfaction. He tells us that he was "Chief Councillor to the King in Scotland, and therefore must have had much to say to the various negotiations for his master's restoration, carried on with his party in England, as well as with foreign Potentates.

In November of this year Edward IV. called his first Parliament at Westminster. Both Houses, entirely submissive to the new King, who indeed left them no liberty to oppose him, declared the three last Sovereigns no better than usurpers,² and, having annulled many of their acts, proceeded to pass a most sweeping Act of Attainder against Henry VI. his Queen, and his Son, the Dukes of Somerset and Exeter, with 148 Lords, Knights, Priests, and Esquires;³ among these was Sir John Fortescue. The acts of treason with which he is charged are the Battle of Towton, on the 29th of March, and the rising or skirmishes at Brauncepeth and Ryton on the 26th of June.

Here are the sentences which affect him:—

"And where also Henry Duke of Excestre, Henry Duke of Somerset . . . John Fortescue, Knight (with many besides), on Sunday, called comynly Palm Sunday, the xxixth day of Marche the first yere of his reigne, in a field bitwene the townes of Shirbourne in Elmet, and Tadcast^r, in the said Shire of York, accompanied with the Frenshmen and Scotts the Kyng's enemyes, falsely and traitorously ayenst their feith and Liegeaunce, then vexed werre ayenst the same Kyng Edward, their rightwile true and naturall leige Lord, purposyng there and then to have destroyed hym, and deposed hym of his Roiall Coroune and Dignite ;

¹ Fenn, Paston Letters, vol. i. p. 246.

² Statutes at Large, vol. i. 1 Ed. IV. cap. i.

³ Rolls of Parliament, vol. v. p. 463.

and then and there to that intent, falsely and traiterously moved bataille ayenst his feyd astate shedyng therein the blode of a grete number of hys Subjetts." . . .

"And over that, when the said Henry late called Kyng of Englund the Sixth, and also Thomas Lord Roos, Thomas Gray, Lorde Rugemonde Grey, Humfrey Dacre, Knyght, John Fortescu Knyght, William Taillboys Knyght, Edmund Mountford Knyght, Thomas Neville late of Brauncepath in the Bisoprycke of Durham Clerk, Humfrey late of the same Squier, and Thomas Elwythe late of Caleys Squier, the xxvi day of June last past, at Ryton and Brauncepath in the Bisoprycke of Durham with standards and gyturons unrolled, vexed werre ayenst oure feid Lord Kyng Edward, purposyng to have deposed hym of his Roiall Astate, Coroune, and Dignite, ayenst their feith and Liegeaunce, &c. &c.

"It be declared and adjudged by th' assent and advis of the Lords Spüelx, and Temporelx, and Commyns, beyng in this present Parliament, and by auctorite of the same, that they [here the names are recited again, including Sir John Fortescue Knyght] for their traitoreffe offences and transgressions afore declared, committed and doon ayenst the feid Astate Coroune and Dignite of oure feid Soverayne Lord Kyng Edward the fourth, stand and be convycted of high treason, and forfeit all the Castelles, Maners, Londes, Lordships, Tenentes, Rentes, Services, Fees, Advoufons, Hereditaments, and Possessions, with their appurtenances, which they or any of theym had, of estate of enheritaunce, or eny other to their or any of their use hadde, the feide fourth day of March, within Englund, Irland or Wales, or Caleys, or in the Marches thereof."¹

The estates which the Chancellor lost by his attainder were soon after granted to adherents of the conquering party, his manor of Ebrington being given, as before mentioned, to Sir John Burg,² and other lands to John Lord Wenlock,³ a zealous Yorkist.

It was not until the spring of the next year that Margaret went to France. She sailed from Kirkcudbright in April, 1462,⁴ with four ships and a small attendance, landing in Brittany, where the Duke gave her an honourable reception,⁵ and twelve thousand crowns. She then proceeded to her father's Duchy of Anjou,⁶ and finally to the Court of Louis XI. at Chinon.

The new King was not warm in his support of his kinswoman's cause, but was at last prevailed on by her entreaties, and by the offer of Calais as a security, to lend her twenty thousand crowns, and to allow Pierre Brezé, the Seneschal of Normandy, to follow her fortunes with two thousand men.

After a stay of several months Margaret sailed from France, and after many adventures on the coast of Northumberland, where she landed some troops who were forced by the English

¹ Rolls of Parliament, v. 478.

² Rolls of Parliament, v. 581.

³ Lingard, v. 176.

⁴ Atkyn's Gloucestershire, p. 425; see Biog. Brit. p. 1994.

⁵ William of Worcester's Chronicle, A.D. 1462.

⁶ Guthrie, Hist. of England.

to re-embark with great loss, she with the remains of the expedition reached Berwick. Here Henry and the Prince joined her from Edinburgh, and a descent upon England was organized, when Bamborough, Alnwick, and other strong places fell into the hands of the Lancastrians,¹ who were joined by the Duke of Somerset and Ralph Percy, and by many of the inhabitants of those parts. But when the Earl of Warwick arrived in the North with twenty thousand men, and King Edward with as many besides, the issue of the struggle was no longer doubtful; and on the 17th of May, 1464, the Lancastrians were totally and finally defeated at Hexham, Henry himself escaping with difficulty. He fled once more to Scotland;² but, after a time, urged, no doubt, to leave that country by the Scotch King, who had made terms with Edward IV., he went into Lancashire and Westmoreland, where the people were attached to his cause and kept him hid; but being at last discovered, he was taken prisoner in June, 1465, and committed to the Tower, where he remained for seven years.

It would appear that Margaret and the Prince took refuge in the strong fortrefs of Bamborough Castle, still in the hands of their party.

Fortescue, who had accompanied the Royal party in this campaign, was now finally parted from his unfortunate master. He remained with the Queen and Prince at Bamborough; and when it was determined that they should proceed to the Continent, he resolved to attend them, and after a short delay embarked in their company at Bamborough, with some other persons of note. Their names are preserved by William of Worcester, viz. :—

The Duke of Exeter,³
 Sir John Fortescue,
 Sir Edmund Mundeforde,
 Sir Edward Hampden,
 Sir Henry Roos,

Sir Thomas Ormonde,
 Sir Robert Whytyngham,
 Doctor John Morton,
 Doctor Robert Makerel.

With many besides of lower degree, whose names are not recorded, to the number of two hundred persons. They landed at Sluys, in Flanders, then part of the dominions of the Duke of Burgundy, and were hospitably received by the Count of Charolois, his eldest son, who took the Queen to Bruges, providing for the wants of the party with great liberality, and afterwards led them to his father's court at Lisle, where they remained for some time, the Duke giving a thousand crowns for their maintenance. They possibly, however, outstayed their welcome, for Rapin relates from Philip de Comines, that the Royal exiles here endured

¹ Holinshed (4to.), vol. iii. p. 282.

² Rapin.

³ William of Worcester's Chronicle.

great misery, and that the Duke of Exeter, before his rank was known, was seen by De Comines following the Duke of Burgundy's carriage barefoot.¹ The next journey was to Lorraine, where Margaret's father, René of Anjou, titular King of Jerufalem and Sicily, was Duke. This Prince, who had inherited from his father the adjoining duchy of Bar, succeeded to that of Lorraine in right of his mother, Isabella, only daughter of the former Duke. He received his daughter and grandson with kindness, and gave them and their followers a retreat in Barrois, or Berry, as the old authors write it. The place assigned to them was St. Mighel, or St. Mihiel, a small town on the right bank of the Meuse, which there flows through a narrow valley shut in by high hills; the English exiles were lodged in the fortrefs.

It was probably at this time that Fortescue, desiring to forward Henry's cause, made the journey to Paris to which he presently alludes; we know, however, that before the end of the year he was settled at St. Mighel. A letter from him to the Earl of Ormond in Portugal is extant in the Imperial Library in Paris, which will be read with interest, as showing the straits and poverty to which he was reduced. It is very illustrative of the times and circumstances; as are the instructions which he drew up at the same time for the Earl's guidance, and the high-sounding Latin of the letter which he composed for the Prince to the King of Portugal. Not less so is the note of the former to Lord Ormond, "written with his own hand" when he could not have been more than eleven years old, the date of his birth being the 13th of October, 1453.²

I am not aware that any of these documents here given have been published before; they are from the Baluze collection.

LETTER of EDWARD, PRINCE OF WALES, *son of HENRY VI., to the KING OF PORTUGAL, asking him to assist in the restoration of King Henry to the throne of England. Dated 13 December.*

SERENISSIME princeps. Post debitas recommendationes vestrique incolumitatem optatam. Cum plurimos gestis inclitis elucentes viros tacita mente perscrutor, hos maxime qui virtutem et gloriam assequuti percelebri laude supra sidera efferuntur, nullos clariores, nullos majori gloria apud mortales adornatos comperio his quos zelus, necessitudo, patria, caritas, ad gesta magnifica advocavit. Hos enim non ignis, non ensis, non gladius, non ipsa mors humani terror generis absterrebat, nec quicquam arduum erat quod eis pro reipublicæ augmento ac

¹ Rapin, i. 600.

² Lingard.

defensione durum aut difficile videbatur. Maximum itaque decus se putabant adeptos, cum ob virtutem maximum aliquid aggredierentur. In vobis igitur, illustrissime princeps, optima mihi reposita spes est, qui iustitia, prudentia, fortitudine, temperantia, magnanimitate, ac omni tandem virtute et gloria, adeo polletis, ut nulli nunc orbe principum humanitate fecundus videamini, sicque polletis uti cum vires hauserim et in viriles evaserim annos, cæteros inter mundi principes vestri similem fore in re militari, probitate, et gloria summe exoptem. Hisque vestris virtutibus præclarissimis summe congratulor, eoque magis jocundius atque festivius quo ex inclitissima domo Lancastriæ fama per mundum et super æthera nota prodiiſtis, cujus jam ulcisci injurias horum est qui ab ea processerunt. Topirum laudibus excelsis ac nunquam in ævum morituris extollebat antiquitas, ardua atque maxima passum, ut vi gladii Babylonios rebellantes subditos regi suo faceret; injuriam enim a subditis regi factam sibi etiam factam aebat, adque jus regum et decus pertinere contra tyrannos sese invicem totis viribus consolari, defendere, adjuvare. Romani insuper, dum nobilitate ac militari gloria per orbem florere, tunc maximum decus se adepturos rati sunt cum regiones, provincias, civitates, cum propinquos sanguine, amicos, reges, aut principes injuria laceſſitos omni conatu etiam ad extremum sanguinem defenderent. Namque justiciæ non modica portio est injuriam proximo illatam, ac longe fortius sanguini proprio, propulsare. Id ferme non modo positiva aut civium politica lex, sed ipsa natura suadet atque jubet; hoc ipsos quasi frequentibus stimulis contra tyrannos contraque rebelles ad ensem, ad lanceam, ad omnia denique armorum genera viribus totis urgebat. Quorsum hæc cum vos ipse sitis, inclitissime princeps, quem non minori laude quam Scipiones ipsos, Fabios, quam Fabricium, quam Achillem, quam Hectorem, aut Herculem ipsum, admirando animi robore linguæ pæne cunctorum indefesse glorificant. Id a tanto Principe ferendum non æstimo ut regius domini ac patris mei status splendorque Lancastrie domus, cujus ipse columna estis, tyrannorum rebelliumque malitia obscuras ad tenebras excidat, cujus ante hac fama præfulgens per orbis resplenduit climata. Meminisse igitur vos regii status, meminisse domus et sanguinis, meminisse ligæ ab olim contractæ velim, ut jus ac regale decus ad læsi regis defensionem, ad domus et sanguinis tuitionem natura, amicitiae vero vinculum tales inter principes ab antiquo contracte inconvulſe servandum lex ipsa atque rei publicæ zelus commoveat. Parcite, precor, si importunus videar; nam res patris agitur, res filii agitur, et omnium principum res ac causa agitur; sanguinis etiam ipsa conjunctio me magis his, licet primis meis litteris, audacem facit. Si quid igitur harum contemplatione agere hac juventute mea velitis, cum ad annos pervenerim fixum vobis ac solidum postfuturis temporibus in omni re vestra consanguineum, et si sic placeat, sine fuco amicam comparabitis. De injuriis vero domino ac patri meo illatis latior essem nisi que consanguineus meus, comes Ormundiæ, qui jam vobiscum est, omnia dicet, quæ certe talia sunt ut neminem hominum arbitror quem non ad larga lacrimarum flumina commoverent. Pro ipsa autem amplissima humanitate vestra quam sibi, necnon magistro Rogero, consilii domini mei clerico benemerito, fecistis, quantas possum immo infinitas gratias et do et effero, postea, duce Christo,

secundis temporibus daturus ampliores, qui vos feliciter ac diu regnare faciat ad nominis vestri decus sempiternum.

Ex Sancto Michaeli in Barro, tercio decimo Decembris.

Walliæ¹ princeps vester ad vota paratissimus confanguineus

EDWARDUS.

LETTER from SIR JOHN FORTESCUE to the EARL OF ORMOND, containing directions how to proceed in his mission into Portugal, to obtain assistance for Henry VI., at that time dethroned by Edward IV.

RYGHTE worshipfulle and myne especially belovyde lord, I recommaunde me to you ; and it is so that in the feste of the Concepcioun of our Lady I rescyvide, at Seynte Mighal in Barroys, frome you a lettre writyne at Porte in Portingale, on Monday nexte before the feste of Seynte Mighel, to my righte singuler comfort, God knowith. Of which lettre the quene, my lord prince, and alle theire servantes were fulle gladde, and namely of youre welfare and escapyng the power of youre ennymys. And it is so that the quene nowe desirethe you to do certayne message frome here to the kynge of Portyngale, of whiche ye moure clerely understande here entente by an instructioun, and also by here lettres, which here highnesse now sendithe to you by the berer hereof. Wherefore I write nowe nothyng to you of tho materes.

And as touchynge the fauf conducte whiche ye desire to have of the kynge of Fraunce, it were gode that ye hadde it. And yet yf his hyghnesse do to us nothyng but righte, the quenes certificat, whiche we fende to you herewith, shulle be to you swerte sufficient. Noethelesse I counseille you not to truste fermely theruppon, and therby to aventure you to passe thorghe his lande, for he hathe made many appoyntements withe our rebelles, by whiche it femythe he hathe not alwey entended to kepe the peace and triwes whiche he made withe us ; but yet I knowe no cause that he hathe to breake hit, nor hetherto he hathe not takene nor imprisoned any mane of oure partie by any soche occasione. And Thomas Scales hathe fente me worde that he hopithe to mowe gete, by the meanes of my lord Senyschalle, a fauf conducte for you. And elles my lord of Kendale canne fynde the meanes howe ye mowe passe soche parties of Gyane, Langdok, and other, whereas most juperte is, as ye shulle be in no perille. My lord of Somersset that now is and his brother come frome Britayne by Parys thorghe Fraunce unto the quene withe vj. horses, and no mann refonyd ham in there way. And so didde I from Parys into Barroys ; but yet this is no verrey surety to you. Wherefore your aune wysdome most gyde you in this case, not trustynge myne advise, that

¹ The concluding part of this letter is in the bold but unformed writing of the prince. The seal is extant. There is no address, but on the back is written "Pro principe," concerning which, see the next letter. The paper is strong, thick, and highly glazed. No water-mark is visible, but the wire-marks of its fabric are clearly perceptible.

knowe not the maner of this contrey as ye do ; but yet I wote welle that a bille signed with my lorde Senyschalle is hande shall be sufficient unto you to passe thorghe oute alle Fraunce.

My lord, herebuthe withe the quene the dukes of Excestre and Somersset, and his brother, whiche, and also sir Johne Courtenay, both descended of the house of Lancastre. Also here buthe my lord Prive Seal, master Johne Mortone, the bisshope of Seynte Asse, sire Edmond Mountford, sir Henry Roos, sir Edmond Hampdene, sir William Vaux, sir Robert Whityngham, and I, knyghtes, my maister youre brother, William Grymmesby, William Josepe, squiers for the body, and many other worshipfulle squiers, and also clerkes. We buthe alle in grete poverté, but yet the quene susteyneth us in mete and drinke, so as we buthe not in extreme necessite. Here highnesse may do no more to us thanne she dothe. Wherefore I counseille you to spend sparely soche money as ye have, for whanne ye come hether ye shulle have nede of hit. And also here buthe maney that nede, and wolle desire to parte with you of youre aune money ; and in all this contray is no manne that wolle or may lene you any money, have ye never so grete nede. We have here none other thythings but soche as buthe in your instruccione.

Item, yf ye fynde the kynge of Portingale entretable in close materes, sparithe not to tarie longe withe hym. And yf ye fynde him alle estraunge, dispendithe not your money in that contrey in idilce ; for after that ye came hithere, hit is like that ye shulle be putte to grete costes sone uppone, and peradventure not long tarie here.

Item, my lord Prince fendithe to you nowe a lettre writyne withe his awne hande, and another lettre directed to the kynge of Portyngale, of whiche I fende nowe to you the double enclosyd hereyn.

I write at Seynt Mighel in Barrois, the xiiij. daye of Decembre.

Your servant,

J. FORTESCUE.¹



My lord, by cause we knew not verrely the kynge of Portingale is name, the quene is lettre hathe no superscripcione, nor the lettre fro my lord Prince ; but ye moure knowe ham also welle by the seales as by this, that in the syde where the seal is sette of the quenes letter is writyne thisse wordes, "Pro Regina," and in like wyse in my lordes lettre is writyne, "Pro Principe." And I fende to you hereyn soche wordes of superscripcion as ye shalle sette uppone bothe lettres, whiche wordes buthe writyn withe the hande of the clerke that hath writyne bothe lettres.

Item, the berer hereof had of us but iiij. scutes for alle his costes towards you, by cause wee hadde no more money.

(*Dorso.*) To the righte worshipfulle and my singulerly belovide lorde, the Erle of Ormonde.

¹ "Your servant, J. Fortescue," is in the autograph of Sir John. The seal given above is that which he commonly used.

Yours obedient
J. Fortescue

Autograph Signature of Sir John Fortescue Chancellor of
the Exchequer to Queen Elizabeth, attached to his letter to
the Earl of Ormonde, in the Impl. Lib. Paris.

INSTRUCTIONS given by QUEEN MARGARET to the EARL OF ORMOND, respecting his mission to Portugal to obtain assistance for the restoration of HENRY THE SIXTH.

Here folowithe an instruccione made by the Quene of Englande unto the erle of Ormonde and to maister Roger Tonge, clerke of the kynges counseille of Englande, for the expedicione of soche materes as the Quene desirethe to be spedde at this tyme for the kyng her husband withe the kyng of Portyngale here most dere coufyn.

FIRST, that they thanke the kyng, here faide coufyn, of the favoure and gode wille whiche he hathe alway borne and shewyd to the kyng here husbande; and namely in this now, his grete trouble and hers. And in speciale, of the grete favoure whiche he shewyde unto William Josef, squier for the kynges body, in his late beyng with hym by here commaundement for the kynges materes, and pray hym of like contynuaunce.

Item, that they lete here faide coufyn clerely understonde that (iblest be Almyghty God,) the kyng here husband is in gode hele, out of the handes of his rebelles, and in fewerte of his persone, as here highnesse hadde late writyng frome him, ensealed with his signet and signyde with his owne hand, whiche is ounedoutedly knowene to here selfe and to alle here counseille.

Item, the quene wille that the faide erle and clerke faye unto the faide kyng here coufyn howe that the kyng here husband and also here selfe have a fulle, singuler, and ferme truste uppon the gode wille, frenshipe and ayde of hym in this theire grettest and extreme necessite; confideryng not onely the nyghnesse of their blode, and that they, bothe kynges, buthe descended of the house of Lancastre, whiche alway hathe bene rennomyde of singuler kyndenesse, faythe and stabilnesse, but also the longe contynewyd amytee, peace, and gode wille, whiche have be betwene the same kynges and their reaumes. And most the quene hathe in here mynde of howe grete noblese, wysdome, and pruesse here faide coufyn of Portyngale is now namyd and knowene through oute the worlde, and therfore amonge other causes chosyn and made by the faide kyng here husband, while he was in prosperite, and by the hole chapter of the ordre of the Garter, a knyghte of the same ordre, by whiche consideracion she hathe noo litelle truste of the ayde of the faide kyng here coufyn; but most by consideracion that he is a Christian kyng, and the wronge whiche now is done to the kyng here husband by his oun subgettes and liegemen is an injurie and dishonoure to alle kynges, and mater of boldenesse to alle subgettes for to rebelle ayen their sovereyne lordes, to the perille and unsiwerte of alle princeesse, yf it be not ponysshed. And as a wronge done to a man of the Chirche whanne it fownythe to the dishonoure or perille of the remenant of the Chirche is, and so aughte be, takyne as a thyng harmefulle to alle the Chirche, and in like wyse done knyghtes whanne any thyng is done to the dishonoure of knyghtehode, and wymmen, whanne any thyng is done to the dishonoure of wymmenhode, moche more aughte every kyng make hym selfe partie whanne any thyng is done to the dishonoure or perille of the religione and estate of kynges.

Item, that they lete here faide coufyn underftande howe that the more partye of the people of England, and namely the beft difpofede men of the fame, kepyne truwely and fermely theire faithe and love to the kynge here husband, and fayne wolde shewe ham felfe foche, but they dar not do fo as well for fere of tyrannie and mordre whiche shuld de done uppon ham as by caufe they have no grete lorde to be theire capitayne that wille and darre shewe hym felfe foche and kepe the fylde, while the kynges welle difpofede people myghte be affemblede and come unto hym. Wherfore it shalle nede that the quene gate some notable and manly prince, or other capitayne, accompanied with iij. m^e. menne at the left welle garnysshed withe habilymentes of werre, whiche myghte take and kepe a fylde in foche parties of England as the quene's counseille knowithe beste difpofede to this case, into the tyme the people myghte by boldnesse of ham shewe ham felfe and come unto ham. Whiche and hit were done they shulde be in myght sufficient; namely, yf thanne the kynge were withe ham in persone, for by comfort of his prefance they shulde fone be grete in nombre, and his rebelles fore ferde to come agayne hym. And foche as shulde be broughte thereto by his rebelles wolde thanne be fayne to come ynne to him, and have his grace, levynge the fame rebelles partie or turnynge uppone ham, as is most like. And as the quene is faythfully informede, the most partie of the comyne that buthe nowe ladde by the world fayne do. Wherfor yf the kynge, here faide coufyn, myghte be entretede to helpe the kynge here husband in this case withe a capitayne and the nombre of iij. m^e. men, here counseille feethe clerly that the kynge here husband shuld thereby be surely broughte into his reame and sette in reste in the fame, and that thenne by that meane the kynge of Portingale myght have at his necessite at his oune wille the hole myghte of England to refiste and chastise his ennemyes, and to defende and helpe his frendes, and so in alle his nedes have the hole myghte of bothe reames.

Item, the Chaunceller of England and other perfonen, whiche buthe nowe in this parties have sufficiant auctorite and power under the kynges grete feal to bynde the reame of England, and alle other of the kynges possessions and lordshippes, for the repayment of alle suche costes and expenses as shalle be done for the kynges cause in this case. And wolle be alwey redy to make the sureties thereof, whenne so ever hit shalle be thoughte unto the queene necessarie that they so do.

Item, yf the faide erle and clerke fynde the kynge of Portingale lovyng and tender to the kynges partie, and of gode hele to helpe hym in his quarelle, thanne they mowe desire the fame kynge to write to the Emperoure and to the Emperesse his suster, whiche also is discended of the house of Lancastre, to shewe theire favoures and gode wille to the faide quarelle, and to helpe in that they maye, that the Pope and the collage of Cardinales do the fame. And in like fourme that the fame kynge of Portingale write to my lord Charles, whiche also is discended of the fame house, commendynge hym of his perseverant kyndnesse

whiche, after the nature of that houe, he shewithe to the kynge his coufyne¹ of Englande in his grete trouble, and praye hym of contynuaunce, letyng hym wete that he wolde do the fame.

Item, fithen the kynge of Spayne hathe weddede another fuster to the kynge of Portingale, he maye the better be entretede that he allie hym not withe the kynges rebelles, but be welle willed to the kynges partie, and that we mowe have free passage throughe his reame. And yf he wolde take oure partie, we myghte thanne be myghty ynowe bothe by see and by lande, and he therby have with us a perpetualle peace, and thanne have alle oure myghte ayene his ennemyes, whiche shulde be the grettest gode that of many yeres hathe comyne to his reame; and, namely, for the merchandises and shippes of the fame. And these ij. kynges myght peradventure cause us, and theyme selfe by the means of us, to make and have a perpetualle peace withe the reame of Fraunce.

Item, the kynge of Portingale may sone fynde the meanes howe alle foche cardinales of his reame and of Spayne, as buthe in the courte, mowe be made frendely to oure partie.

MARGARET.

(*Dorſo.*) To my lord of Ormonde.

HOLOGRAPH LETTER of EDWARD PRINCE OF WALES, *son of HENRY VI., to the EARL OF ORMOND, upon his mission into Portugal, to obtain assistance for the restoration of King Henry.*

COUSIN Ormond, I grete yow hertly welle, acerteynyng yow that I have herd rythe gode and honorabele report of your sad, wise and manly gyding ageynst my lordis rebellis and your adversaries, in the witche ye have purchased unto yow perpetually lawd and worship. And I thanke God, and so do ye allſo, that ye at alle tymes under His proteccione have escaped the cruelle malise of your sayd adversaries.

And for asmotch as I understand that ye ar now in Portingale, I pray yow to put yow in the uttremost of your devoir to labore unto the kyng of the sayd royalme for the forderance and fetyng forthe of my lord in the recovering of his ryght and subduing of his rebellis. Wherin yf ye ſo do, as I have for undowted that ye wyll, I truſt ſume frute ſhalle folue, with Godis mercy, witche ſpede yow well in alle your workes.

Writen at Seynt Mychael in Barr, w^t myn awn hand, that ye mey ſe how gode wrytare I am.

EDWARD.

(*Dorſo.*) To my coſyñ the Erle of Ormonde.

¹ Henry III. married, in 1388, Catherine daughter of the Duke of Lancaster.

The letter from Margaret to King Alfonzo, mentioned by Fortescue, has not been preserved.

The King of Portugal at this time, whose name was not known to Fortescue, was Alfonzo V., his grandmother was Philippa daughter to John of Gaunt the Duke of Lancaster,¹ who married Joam I. of Portugal in 1403.

The Emperor of Germany was Frederick III., married to Eleonora daughter of King Edward of Portugal. The King of Spain was Henry IV., married to a Portuguese Infanta; he was also related to Henry VI. of England in the same degree as his wife, his grandmother being Catherine another daughter of the Duke of Lancaster.

The Earl of Ormond above mentioned was John, the sixth of that title; he was present with his elder brother, James fifth Earl of Ormond and Earl of Wiltshire at the battle of Towton, and now in consequence attainted; he succeeded nominally to his brother's Earldom of Ormond upon the beheading of the latter by the Yorkists at Newcastle (May 1, 1461), and forthwith fled to Portugal.

We find Fortescue, after a stay of some months at St. Mighel, again engaged in pressing his master's cause upon the French King. Henry sent him his credentials, as one of his ambassadors, from Edinburgh in March; and he soon after accompanied to Paris the famous Lancastrian Jasper Tudor Earl of Pembroke, Queen Catherine's son by her second husband Owen ap Tudor, and therefore half brother to Henry.

There is some mention of this journey in a despatch from the authorities at Rouen to their King, announcing the arrival of Pembroke and "the Chancellor of England," from which it appears that Louis, who wished to come to terms with Edward IV, had already thought it wise to withdraw the right of free access to himself and his country which Henry's friends had enjoyed, by requiring that all Englishmen should be furnished with a safe-conduct before they were allowed to pass through France.

Sir John had joined Pembroke in Flanders, and there learning the need of some protection, they had recourse to the friendly Count of Charolois, who gave them letters to smooth their way to Paris.

Here follows the despatch:—

12 June.

NOTRE souverain Seigneur nous nous recommandons a votre bonne grace tant et si tres humblement comme plus povons. Et vous plaist favoir notre souverain seigneur que au jour duy font entree par congie en cette ville de Rouen le Comte de Pennebroc, et Messieurs Jehan Fortescu, chevalier, chancelier du Roy Henry DAngleterre, le quelz font venus devers nous et nous ont remontre que de par le dit roy Henry ilz estoient envoieez comme ambaxadeurs devers vous et avoient prins la charge soubz la confidence du congie general

¹ Hume, iii. 548.

daler et venir par voz pays quil vous pleust octroyer en la faveur au dit roy Henry a tous les subgiez tenans son party. Mais pour ce quilz avoient sceu, eulx estans en Flandres, la deffense generale fait aux Anglois de non eulx trouver en votre royaume sans avoir fauf-conduit, ilz estoient tournez devers Monseigneur de Charolois, qui leur avoit octroye, pour leur seurte, certaines lettres requisitoires a tous voy justiciers et lieutenans, lesquelles ilz nous monstrerent, ensemble unes lettres missives que nous escripeoit en leur faveur mon dit seigneur de Charolois pour les laisser passer, ainsi que porrez veoir, se cest votre bon plaisir, par icelles lettres missives et mesmement par le double des dites lettres requisitoires de mon dit Seigneur de Charolois cy dedens encloses, et nous requeroient seurte de aler devers vous, disans quilz avoient lettres que mon dit Seigneur de Charolois vous escripeoit pour leur fait. Sur quoy, sire, apres que avons debatre la matiere avec aucuns de votre conseil estans pardeça, avons remonstre aus dis conte et chancelier que au regard de la deffense qui faicte avoit este, elle est generale pour tout les Anglois, tant de ceulx du coste du Roy Henry que de lautre part par complaints qui vous avoient este faites des inconveniens qui estoient advenus et povoient advenir a voz subgiez par courses et pilleries par raison de la frequentacion que avoient eue par deça ceulx du party du dit roy Henry dont aucuns festoient tournez de lautre coste et pour autres causes que a ce vous avoient meu, et puis que ainsi estoit que la deffense avoit ainsi este faicte, et par (ici ?)¹ publique que a nous nestoit pas de y toucher, mais toute voys que considere leur cas et quilz affirmoient aler devers vous, et aussi quilz disoient porter lettres de mon dit Seigneur de Charolois ne leur donnerions aucun empeschement et advisassent a ce quilz avoient a faire. Par quoy, Sire, ilz ont prins le chemin de tirer devers vous comme ilz dient. Et pour ces causes envoyons ce message en toute diligence devers vous, afin que en soiez adverty avant leur venue, en enscrivant ce quil vous a pleu nous escripre et commander de vous advertir tousjours de ce qui survendrait des nouvelles des dits Anglois pour on surplus ordonner votre bon plaisir. Notre souverain Seigneur nous prions le Benoit-Filz de Dieu quil vous ait en sa sainte garde, et vous doint tres bonne vie et longue et accomplissement de voz tres nobles desirs.

Esript a Rouen le xiiij jour de Juing. Vos tres humbles et tres obeissans subgiez et ferviteurs

J. EVESQUE DE SAINT BRUC
LOUYS DESTOUTEVILLE
et JOHANN ARNOULFIN
E. PICART.

(Dorso) Au roy nostre souverain seigneur.
In another hand,
S. Brioc, Estouteville, Arnoulphin, & Picart.

¹ Indistinct in MS.

Sir John was the bearer of a special letter of introduction for himself from King Henry VI. to his cousin of France, which testifies to the esteem in which he held the person and services of his "Friend and loyal Chancellor:"—

LETTER *from* HENRY THE SIXTH *to* LOUIS THE ELEVENTH. *Dated Edinburgh,*
28 March.

TRES hault et puissant prince, tres chier et tres ame cousin germain de France, nous avons este bien amplement informez pur plusieurs foiz que tousjours vous estes monstre notre bon cousin et amy, et vous estes tousjours bien encline en toutes les affaires de nous et la recouvrance de notre dit royaume, a voz grans costz et despens, tant de gens, d'argent, comme autrement, dont tres fort nous en reputons tenuz a vous.

Nous envoyons presentement par devers vous plusieurs de noz gens et ambaxadeurs, comme plus a plain pourrez veoir par noz aultres lettres que vous rescriprons, entre lesquelx noz gens et ambaxadeurs y est nostre amie et loial chancelier Jehan Fortescu, chivalier, au quel sommes fort atenuz a ses despens. Nous a tousjours tenu notre estat et fait plusieurs aultres services, dont luy sommes fort atenuz. Pur lesquelles choses tres hault et puissant prince, tres chier et tres ame cousin, nous vous prions tant et si affectueusement que plus pouvons, que celleci nostre Chancelier en faveur et priera vous vueillez favorablement traictier, et luy secourir et aider, comme a notre propre personne, en toutes les necessitez et affaires quil peut avoir, tant pour nous et nos affaires comme pour luy mesmes; a fin quil puisse congnoistre que noz prieres luy aient proufitte en aucune maniere. Et quand Dieu plaira que nous aions la joissance et recouvrance de notre dict royaume, nous ferons avecques vous en telle maniere que toute vostre noble royale majestie naura james cause de sen doubter en vous priant que vueillez toujours de mieux en mieux continuer ainsi comme bien y avons vostre singulier et parfaite confaiance aidant le Benoit Filz de Dieu, tres hault et puissant prince tres chier et tres ame cousin, quil vous vueille avoir et tenir en sa sainct et benoiste garde.

Donne a Edynburghe le xxviiij jour de Mars

HENRY.

(Addressed,)

A tres hault et puissant prince nostre tres chier et tres ame cousin
Germain ame de France.

Louis was not moved by the representations of the ambassadors or by Margaret's appeals, to take any steps for Henry's restoration. He had made a truce with Edward, and although

¹ Mackintosh.

² Lingard.

^{ed. h. 10}
^a ^{Introduc. a.} ^{De Joh. Fortescue}
^{de Laudib. Legum Angliæ}
 Sciente Indu in Regno Anglie nequissimam
 Rabie illa qua pyssimilibus Rex. h. septem amigayeta
 Regna consorte sua filia Rege Iernsalem & orialis de
 eoz Gingenito Edwardo pynape Wallie inde ppulsi sunt 7f. 5-22
 Sub qua & demum Rex ipse h. a subdite eis dephensio
 coacta / duntaxat passus est hospes. Omnia Regna illa
 cu sobole sua patria sua sic exoptos in ducatu daponum
 pda Rege Iernsalem dominio morabantur / princeps ille
 mox ut fens est adulescens militari totu se contulit
 discipline Et sepe fororibz & quasi indomitia insedens
 caballia eoz calcans & greges quandoq lancea quz
 mucione alio qz Inspermente bellice sodales suos
 Indueat sibi fientes bellanctu mox indudore
 fere qz iuxta more gignas Indumenta delectabat
 Quod ceptens miles quidm fudemo / pda regia
 Anglie duncollaymo qui etiam ibm f. eadid clade
 exulabat. pncipem sic affatur

Hinc deo vero ceterissime princeps sup nobilissima
 indole tua videns quanta deditate militare & tu Et hic cancelli
primo monet pu
ad disciplinam h
 amplectere actus. comenit namqz tibi talis delectay.
 nedu qua miles es sed amplius qz Rex futurus es
 Regis naqz officii pugnare est bella pti sui & eos
 iustissime iudicare / Et in pmo regis sui cap / Chariss
 tu docere quare Et apmore dntu & fign studiu simili
 zelo te deditu contemplantur Et ut apmo bella ita
 legibz iudicia pagantur que Instimanil angustis equis
 libans mente / in Inuicophennu libri sui Instrucom
 ait / Impiam manifestam non solum apmo dargata
 h. e. legibz oportet esse armatum / Et utrumqz tempus
 bellay & pnt pte possit gubeynare / Tamen de ad
 legu studia ferunde tu angelis maximi fide labor
 illis iuxta. olim Emagoge Dux multo fortis & fays
 te iudicat / du Regibz iuxta divina Antiquitate.

R. O. Cotton

his leanings were always towards the Lancastrian party, he must have looked upon that cause as already lost, when the news reached him about this time, of Henry being taken prisoner, and sent to the Tower. There was therefore nothing left for Fortescue but to return to Barrois, and there, with his fellow-exiles, to watch the course of events in England.

For some time, probably for several years, nothing happened to raise the hopes of the Lancastrian exiles. Queen Margaret was untiring in her applications to foreign monarchs, and in her endeavours to stir up her friends in England, and the Chancellor was largely engaged in consultations and correspondence, with the same object. Some of his expressions would seem to imply that he attended the Queen and Prince in their journeys to the Court of Louis. He also undertook the education of Edward, at least so far as to instruct him in the laws of his country, and the duties of a King of England.

"Fortescue," says Amos, "conceived that he was pursuing a judicious course for securing the future happiness of the English nation in forming the character of the heir apparent to the throne, and acquainting him with the duties of a patriot king: a task which, in late times, even Hampden did not look upon as derogatory to his talents, or incompatible with his independence."¹

Two Treatises remain, drawn up, as he tells us, with that intent; the first in order of time was entitled, "*De Naturâ Legis Naturæ*," divided into two parts, the second, and more famous, the "*De Laudibus Legum Angliæ*." This last was thrown into its present form, if not composed, during the latter part of his stay in Barrois; for he speaks in it of the time when the Prince left England as long ago, when he was too young to recollect much about his own country. As to the "*De Naturâ*," we know that at least the second part of it was written in Scotland, being "the Latin Book" to which Fortescue refers, in his "*Declaracioun on Writings from Scotland*."

While Fortescue was thus at once engaged in instructing the Prince how to reign over Englishmen, and in leading the schemes and negotiations which, as he hoped, were finally to enable his pupil to put into practice the maxims impressed upon him, events of the most important kind were approaching in England. The Lancastrians, although humbled and silenced, were still very numerous. On more than one occasion emissaries from Queen Margaret had been found trying to excite the people to insurrection.

Edward the fourth, by his marriage with Elizabeth Woodville, and still more by the honours and favours which he heaped upon her relations, had disgusted the leading nobility, and in particular the great family of the Nevilles, with the great Earl of Warwick at their head. This powerful and arrogant lord² became so discontented that he stirred up a rebellion in Lincolnshire, and when it was put down by the King, took his departure to France, with

¹ Amos, Introduction to *De Laudibus*.

² Holinshed, A. D. 1468, iii. 290.

the Duke of Clarence, whom he had found means to persuade to join the malcontents against his brother the King, and who had married one of Warwick's daughters. His object was to injure Edward with that monarch, who, indeed, was always inclined to the House of Lancaster, and was now displeased with Edward for giving his daughter in marriage to the Duke of Burgundy, and concluding with him a treaty of commerce.

Here were hopes for the Lancastrian exiles! the most powerful subjects in England changing sides in their favour, and the King of France offended by their rivals, ready to take any opportunity to thwart them that might offer itself. Sir John was quite alive to the advantages to be gained from these changes; accordingly, we find his pen in full activity, laying before Louis everything that could be urged to show what he risked by supporting Edward, and what he could not fail to gain by a vigorous interference for Henry.

He presented to Louis a memoir upon Edward's claim to the crown of England, and the pretensions which he put forward to that of France also—refuting them both, as we are told, and “showing that he has no right whatever to either.” His object, no doubt, was to frighten Louis. This document he put into the shape of a book. He writes again to show that peace with England must always be uncertain so long as Edward reigned, while on the other hand, if Henry was in power, the two nations would be ever in amity—giving, as we are told, his reasons at length.

After some time longer he alarms the French King by telling him of Edward's late declaration in Parliament, announcing his resolution to invade France in person with a large army; to prevent which calamity, Louis is told how he may keep Edward employed at home, by becoming himself the aggressor, for, with even a small army, he would so encourage the Lancastrians, that they would speedily drive Edward away, and restore his master, and then only could a lasting peace be made between the two kingdoms; for means might be found to induce Edward to submit quietly to what he could not help. We are not told what these were, but his plan may have been that which was afterwards actually made the subject of an Act of Parliament during Henry's renewed reign, namely, to allow the Crown, on failure of Henry's heirs male, to go to the House of York, setting aside for this purpose the daughters of the House of Lancaster; for Fortescue had written and argued in “*De Naturâ*” against the succession of women to “supreme government.” He asks to be allowed to lay before Louis himself, or before some one in his confidence, other more secret matters which it would not be prudent to commit to writing. None of these productions have been preserved, but the following notice of them is given from the Imperial Library in Paris:—

A. D. 1470.

LE Chancelier Dangleterre a baillie ung grant memoire declaratif des droiz que le roy Edouart pretend a la couronne Dangleterre, et apres a la couronne de France; et par le quel

en oultre il monstre que le dit roy Edouart ne peult aucune chose reclamer es dites couronnes de France et Dangleterre, et quil ny a aucun droit par les moyens quil recite et declare on dite memoire le quel est en forme de livre. Cest devers Monsieur le Chancelier.

Après ung autre memoire assez longue, ou il repilogue en brief leffect et substance du dit grant memoire, en y adjoustant les moyens par les quelz il luy semble que pax perpetuelle se peut bien faire entre le roy et le royaume de France dune part, et le roy Henry et le royaume Dangleterre dautre ; et en quoy le dit roy Edouart se coustendra, vueille ou non, et quil nest possible au dit roy Edouart de faire paix perpetuelle entre les dits deux royaumes, et que se de sa part il avoit fait si ne pourroit elle tenir ; le quel memoire contient douze grans articles.

Subsequemment baille ung autre memoire, assez brief, on quel il declare que on parlement dernièrement tenu en Engleterre le roy Edouart a promis a la communité du royaume quil fera grosse armee pour venir en France, et quil y viendra en personne, sur quoy le dit Chancelier espere demonstrier moyens par les quelz le roy Dangleterre fera tellement trouble que le dit roy Edouart nosera partir du royaume, et quil naura argent soufisant pour la despence quil faudra faire pour la dite armee.

Il entend aussi monstrier les moyens par les quelz le roy legierement desjettera le roy Edouart du royaume Dangleterre, et remettra sus le roy Henry, sans grant armee et sans grans fraiz.

Il dit oultre quil aura moyens par les quelz paix perpetuelle se pourra bien faire entre les deux royaumes de France et Dangleterre.

Dit avecques ce quil y a autres choses plus secretes jacoit-ce¹ quelles ne soient pas de plus grans poix qui nest ja besoing mettre en escript, et quelles vallont mieulx dictes de bouche a cause des ennemis et contredicteurs de la dite matiere, des quelles il revelera au roy ou a ses commis quant le plaisir du dit seigneur fera.

Item, il y a ung autre grant memoire contenant six articles, dont on premier article le dit Chancelier expose que, concurrens ensemble le conseil du roy et de la royne Dangleterre, il semble audit Chancelier, par les moyens quil ouvrira, le mariage se fera entre le prince de Galles et la fille du conte Waruch. Par le moyen du quel mariage le dit conte de Waruch et ses amys demoureront en seurte, et aura le dit conte le principal gouvernement on royaume ; et que par la favour de luy et des amys et loyaux subgiets du roy Henry, la royne et le prince pourront avoir plus legiere entree dedans le royaume.

Secondement, le dit Chancelier espere trouver moyens par les quelz il declairera par quoy le roy Edouart se contentra et asseurera, et dont paix perpetuelle se pourra plus seurement faire entre les dits royaumes.

Tiercement, il espere trouver moyens par les quelz lestaple des laines Dangleterre se fera

¹ Sic in MS.

en France, soit ou a Rouen, a Caillaiz, ou ailleurs, a grant prouffit des Francoys et des Angloys, et fans quil prejudice au roy ne au royaume de France.

Quartement, le dit Chancellier fait ouverture que les Angloys auroient libertiz a Bourdeaulx, a Bajonne, au prouffit des deux royaumes de France et Dangleterre, comme les marchans de la Hance ont a Londres, les quelz ont ung aldrement qui est du conseil de la ville avecques les autres aldremens, et a la garde de lune des ports de la ville, la ou il peut entier et faillir de la dite ville quant il leur plaira.

Quinctement, il dit quil croit que se le roy fait aucunes despences en ces matieres que legierement elles pourront estre recouvrees au moyen dung proces que Richart Henon, Angloys pourfuit en la court de Parlement, mais que le roy lui veuille donner faveur.

Dit apres le dit Chancellier que les dits choses dessus dits pourront fortir bon effect, mais quelles ne soient point revelees, affin quelles ne veingnent en suspecion des ennemiz du roy, son maistre, et que icellui Chancellier ou autre sollicite devers le roy ou son conseil les choses dessus dit. Car il doute si les choses estoient revelees, que les ennemiz du dit roy Henry ne se trouvassent plus fors que lui devers le roy, au grant dommaige du roy et de la royne Dangleterre, sa maistresse.

Par JEHAN FORTESCEUE, Chevallier, Chancellier Dangleterre.

The above document is written by a contemporary hand upon a single sheet of paper without watermark. It appears to be of the year 1470.

It would seem that by this time Louis was thoroughly alive to the necessity of stirring up discord among the English, to prevent them from interfering with his schemes. He probably never meant to do more than this, and therefore desires Clarence and Warwick,¹ with their ladies, to be hospitably entertained at their landing place, and invites them to his Court at Angers and Amboise. Queen Margaret, upon hearing of their arrival, repaired likewise to Amboise with the Prince, and we find that Fortescue accompanied them, and took a forward part in the negotiations with Louis. He laid a memorandum before the French Government, as the foregoing State paper shows, inviting the King to join Margaret's advisers in bringing about a marriage between the Prince of Wales and the Lady Anne Neville, Warwick's daughter, representing "that by means of such marriage the said Earl of Warwick and his friends would be secured, and the said Earl would have the chief management of the kingdom of England, and that with his support, and that of the loyal subjects of King Henry, the Queen and Prince would have more ready entrance into their kingdom, and thus would a peace, firm and lasting, be secured between the countries." Margaret had now met Warwick, the chief author of all her misfortunes, and the greatest enemy of her cause.

¹ Lingard.

Their common interest, however, soon reconciled them to act together, and Louis encouraged the union. The match so much desired by Fortescue was agreed to, and "first to begin withall," says Holinshed,¹ "for the sure foundation of their new intreatie, Edward, Prince of Wales, wedded Anne, second daughter to the Earle of Warwick, which ladie came with her mother into France." Thus "the brother of King Edward became brother-in-law of the Lancastrian Prince, and the Earl of Warwick was equally allied to both houses."²

The other terms of this reconciliation were these:² that the Duke of Clarence and the Earl of Warwick should endeavour to restore Henry to the throne; and that the Queen should promise, with an oath, to leave the government of the kingdom in their hands during the King's life, or the minority of the Prince his son, a concession, as we have seen, recommended by Fortescue.

Louis promised to furnish some money and troops, and to convey Warwick to England with his fleet.

Sir John at this time must have become sanguine of success, for he lays proposals before the King of France, on matters of detail relating to trade between France and England, proposing that a market for English wool should be established at Rouen or Calais, and that English merchants at Bordeaux and Bayonne should have the same privileges that the City of London had granted to Flemish traders—namely, the right to appoint an alderman, and the keeping of one of the city gates. This also is referred to in the State Paper.

The march of events now became rapid. Warwick landed in England unopposed by Edward, who had gone to the North to quell a rising there—proclaimed Henry VI., and had reached Nottingham unopposed, and with an increasing force, when Edward, alarmed by the defection of a part of his army, fled from the kingdom, and crossed to Holland. Warwick and Clarence entered London in triumph on the 6th of October (1470), released Henry from the Tower, and replaced him on his throne.

There was great joy among the exiles when they heard of this sudden revolution. Louis ordered public thanksgivings and rejoicings, and Margaret was received in Paris as Queen of England. It seems strange that she and the Prince should not have at once joined the restored King. She did not, however, embark at Harfleur until the 24th of March, when Edward, with a small force raised in Holland,³ had already re-entered the kingdom at Ravenspur. The popular tide had turned, and the treacherous Clarence had gone over to his brother with 12,000 men.

On Easter Sunday, the 14th of April, the armies of the two parties met at Barnet, and the Lancastrians, after a bloody fight, were entirely defeated, Warwick himself was slain, his brother also, and almost all the leaders, and the re-instated Henry was taken prisoner and once more lodged in the Tower.

¹ Hol. iii. 295.

² Rapin, i. 608.

³ Lingard, v. 210.

It was on that same Easter Sunday that Margaret and the Prince, after nearly three weeks spent on the voyage, landed at Weymouth, and Sir John Fortescue with them. Their dismay on hearing the overwhelming news was great; but they were cheered by the arrival of the Duke of Somerset, and Jasper Tudor Earl of Pembroke, who held out hopes that Edward might still be effectually opposed, and it was decided to proceed at once to Exeter,¹ through the western counties, where their friends were still considerable in numbers.

A more bitter disappointment to Sir John than that which he was fated to suffer on landing in England can hardly be imagined. When he left the French shores, the cause for which he had so long suffered and laboured appeared to be secured. Henry had been for some months restored to his throne, his rival was a fugitive from England, and his rival's brother, and Warwick "the king-maker," were in arms for the Red Rose. But when he reached Weymouth all this was changed. Henry was again a prisoner, Clarence with his army had deserted to the enemy, a great battle had been fought and lost, and Warwick was killed.

His heart may well have sunk within him, and it is not surprising that his first impulse was to advise a return at once to France.² It was, however, as we have seen, otherwise determined. The final overthrow was still to come, and the venerable Chancellor was once more to mingle in a bloody fight. The story may be told in the graphic though quaint words of an old chronicle, preserved by Leland. After marching unopposed through Somerset and Gloucestershire, "Prince Edward and his host came to Tewkesbury, and pitched his field by Severn."

"In the year of our Lord 1471, and the eleventh year of King Edward, Edward King fought with Prince Edward, Henry the Sixth's son, at Tewkesbury, the 4th of May, and King Edward won the field. Edmund Duke of Somerset and Sir Hugh Courtenay fled from Prince Edward, and sore weakened his field, yea and utterly lost it. There was slain Prince Edward, crying on the Duke of Clarence his brother-in-law for help. There were slain also Courtenay Earl of Devonshire, the Lord John of Somerset, the Lord Wenlock, Sir Edmund Hampden, Sir Robert Whitingham, Sir William Vaux, Sir Nicholas Hervey, Sir John Delvis, Sir William Fielding, Sir Thomas Fitzhenry, Sir John Lewknor.

"These were first pardoned by King Edward, against whom entering a church with his sword drawn in Tewkesbury, a priest brought the Sacrament against him, and would not let him enter until that he had granted his pardon to them that follow:—the Duke of Somerset, the Lord of St. John's, Sir Humphrey Audley" (and twelve more); "all these when they might have escaped tarried in the church, trusting the King's pardon, from Saturday to Monday in the morning, when they were taken out and beheaded.

¹ Leland, Coll. ii. 505.

Rapin.



THE MANOR HOUSE

"After the field of Tewkesbury, Queen Margaret, Prince Edward's wife the second daughter of the Earl of Warwick, the Countess of Devonshire, dame Catarine Vaus, were taken; and these men of Name were taken and not slain, Sir John Fortescue, Sir John Saint Lowe, Sir Henry Roos, Thomas Ormond, Doctor Mackerel, Edward Fulforde, John Parker, John Basset, John Walleys, John Throgmorton."¹

We do not know why Fortescue was spared,—perhaps the conqueror Edward respected his age, or his appetite for blood may have been satisfied by the number of previous victims more actively engaged in the actual conflict, in which so many of Fortescue's fellow-exiles fell. His unhappy master, King Henry, was murdered at night in the Tower on the 21st of May, the day before Edward's return to London from Tewkesbury in triumph, with Margaret a prisoner in his train, who remained a captive for five years, when she was ransomed by King Louis of France, and died in that country in 1482.

Sir John's imprisonment was not of long continuance. According to a tradition still current on the spot, he was soon released, and ordered to remain at Ebrington. He was no longer formidable to Edward after the deaths of Henry and the prince his son, nor after these events was there any one but the reigning sovereign to claim the allegiance of Englishmen, who had universally submitted to the new dynasty. It is not therefore surprising either that Edward should be willing to pardon him, or that Fortescue should feel that he might without any impropriety or inconsistency become his "true liegeman." It was not long before he was received into favour, his pardon being granted under the Broad Seal of Edward IV., dated at Westminster the 13th of October, A.D. 1471. This document, which contains a declaration that it is by authority of Parliament, was extant not many years ago, Mr. Inceledon, the compiler of "*Stemmata Fortescuana*," a MS. vol. belonging to Lord Fortescue written in 1795, there stating that he had seen it.

Edward had set Fortescue free, pardoned, and restored him to the Council, without any unusual conditions. But before he gave him back his lands and manors, he required the old lawyer to argue for his hereditary right to the crown, as he had before done against it, and in behalf of that of King Henry. Lord Campbell, in his "*Lives of the Chief Justices*," thus accounts for the imposition of these distasteful terms:—

"One good deed Chief Justice Billing did which should be recorded of him, in advising Edward the Fourth to grant a pardon to an old Lancastrian, Sir John Fortescue. But for the purpose of reducing this illustrious judge to the reproach of inconsistency, which he knew made his own name a bye-word, he imposed a condition that Fortescue should publish a new treatise to refute that which he had before composed proving the right of the House of Lancaster to the throne."

This treatise, entitled "*The Declaration upon certain writings sent out of Scotland*

¹ Leland's *Collectanea*, by Hearne, vol. ii. p. 505.

against the King's title to the Realm of England," forms the next chapter, where it is given in full, and will be read with interest. It remained in manuscript until it was included in my edition of Fortescue's Works in 1869.

In his "*Latine Booke*," which he was now to answer, the "*De Naturâ Legis Naturæ*," he had descanted upon the reasons why a woman should not reign as a supreme ruler, drawing largely, as was the custom of his time, upon the Holy Scriptures to prove what they had in fact never touched upon or considered, and what the author of "*De Laudibus*" must have well known to be a question of expediency only, and not of abstract right or wrong.

He had got together passages from the Bible, and the Fathers, to show that the man was ordained to be above the woman, and that therefore no woman ought to reign over man; but in the "*Declaration*" he ingeniously discovers his error, and sees that such passages as that in Genesis, "Thou shalt be under the power of man, and he shall be thy lord," ought to be differently explained—"which words," he says, "spoken to that woman, was, as I thoo wrote, spoken to all kind of woman, as the words then spoken by God to the first man was said to all mankind. This matter ye now desire that I will so declare as the King our Sovereign Lord be not harmed in them in his titles of England or of France—so, as to the first point, I hope to find not difficult, for our Lord said not in his foresaid judgment that a woman should be under the power and lordship of all men, or of many men; but he said indifferently or indeterminably that she should be under the power and lordship of man, which is true if she be under the power and lordship of any man; and that every woman is under the power and lordship of some one man (which is all that she is cited unto by the foresaid judgment in Genesis) may not be denied, for every woman is under the power and lordship of the Pope, which is a man, and the Vicar of Christ, God and man. Wherefore the foresaid text of Genesis, or anything by me deduced thereof, may not prove that a woman may not reign in a kingdom of which the king hath no sovereignty or temporality, sithen she abideth always subject to the Pope; and by the same reason it may not hurte the King in his titles to his foresaid two realms."

He thus shortly and easily disposes of, without actually contradicting, his own former long and laboured treatise on the other side, and accepts the claim of Edward as descended, though in the female line, from Lionel, Duke of Clarence, Edward III.'s second son, as better than that of the Plantagenet Kings, who descended in the male line from John of Ghent his third son.

There remained to be got rid of a question of fact. Fortescue, in his "*Defence of the House of Lancaster*," had asserted that Philippa, daughter to Lionel, Duke of Clarence,¹ through whom the claim of the House of York arose, had never been acknowledged by her

¹ Lingard, v. 217.

father. He now explains that he made that statement in ignorance of certain records which, on his return to England, had been for the first time showed him; "by which records it clearly appeareth that the foresaid Phillipe was daughter, and heir to the foresaid Duke of Clarence, and to Elizabeth his Wife, because that she and the Earl of March, her husband, had livery in the Chancery of all the lands of the Duke."

It may well be doubted whether Fortescue really had any strong opinion on the question of the right of females to reign. He had argued well and ingeniously, according to the notions of his time, against that right, as a lawyer for his client, because he did all that he could to support Henry on the throne, he being, as he says, "no Judge, but a partial man to him, for whose favour he made the arguments," that is, one sincerely desiring to support Henry's rule; and afterwards, when he was writing as a still more "partial man" on the opposite side, that is to say, fulfilling the condition of his restoration to his estates, he escapes from his former arguments by a device which he must have laughed at in secret as childish and almost comical.

No one who has read his outspoken language in "*De Laudibus*," where he repeats again and again the maxim that Kings of England must not make the laws, but must govern according to them, and that laws to be binding on the people must have the people's consent, can doubt that he was ready to accept heartily, so far as right went, either Henry or Edward, or any sovereign, when once the consent of the nation had been deliberately and decidedly expressed in his favour.

He says, "The King is appointed to protect his subjects in their lives, properties, and laws, for this very end and purpose he has the delegation of power from the people, and he has no just claim to any power but this."

Again, "It is plain that if Kingly power did not originally proceed from the people, the King could have no such power rightfully at all."

Nor did Fortescue change his opinion or his language respecting the kind of kingly government which was the best for a people to live under. He writes as strongly upon it under Edward IV. as he had done in the time of his predecessor. For example, he says in his latest work, that "the *Dominium Politicum et Regale* began by the Desire and Institution of the people of the Prince," and adds, "Blessed be God, this Land is ruled under a better law, and therefore the people thereof be not in penury, nor thereby hurt in their persons, but they be wealthy, and have all things necessary to the sustenance of Nature. Lo, this is the fruit of *Jus Politicum et Regale* under which we live."¹

However superficial may have been his answer to his old arguments, it was a complete retraction of them, and satisfied the King's advisers, so that he had now only to present his petition for the reversal of his attainder, which was as follows:²—

¹ *De Dominio*, pp. 14-24.

² *Rolls of Parliament*, vi. p. 69.

TO THE KYNG OURE SOVERAYN LORD : In the moost humble wyse sheweth unto youre noble grace, your humble subget and true Liegeman John Fortescue Knyght, which is, and ever shal be duryng his lyf, youre true and feithful Subget and Liegeman, Soverayn Lord by the grace of God ; howe be it the same John is not of power, ne havoir to do youre Hignes so good service as his hert and wille wold do, forfomoche as in youre Parlement holden at Westminster the fourth day of November the first yere of youre moost noble reigne, it ordeyned, demed, and declared, by auctorite of the same Parlement, that the said John by the name of John Fortescue Knyght, amonge other persons shuld stond and be convicted, and attaynted of high treason, and forfeit to you Soverayn Lord and youre heires, all the Castelles, Maners, Lordshippes, Londes, Tenementes, Rentes, Services, Fees, Advoufons, Hereditaments, and Possessions, with their appurtenances, which he had of astate of enheritaunce, or any other to his use had, the thirtieth day of December next afore the first yere of youre moost noble reign, or into which he, or eny other persone or persones, feoffeez to the use or behofe of the same John had the same thirtieth daie lawfull cause of entre within Englund, Ireland, Wales, or Caleis, or the Marches therof ; as more at large is conteyned within the same Acte or Actes.

Please it youre Highnes, forasmuch as youre said Suppliaunt is as repentaunt, and sorrowfull as eny creature may be of all that which he hath doon or committed to the displeasure of youre Highnes contrarie to his duetie, and liegeaunce, and is, and perseverantly shal be to you Soverayn Lord, true, feithfull, and humble subget and Liegeman, in wille, word, and dede ; of youre moost habundaunt grace by th' advis, and assent of the Lordes Spirituell and Temporell, and the Comens, in this youre present Parlement assembled, and by auctorite of the same to enacte, ordeyne, and stablisch, that the feide Acte, and all Actes of atteyndre, or forfeiture made ayenst the same John and his feoffees to the use of the same John, in youre said Parlement holden at Westminster the said fourth day of Novembre, as ayenst theym, and every of theym, and eny of theym, by what name or names the same John be named, or called in the same Acte or Actes of, in, or by reason of the premisses, be utterly voide, and of noone effecte ne force ; and that the same John nor his heires in no wise be prejudiced nor hurt by the same Acte or Actes made ayenst the same John, and that by the same auctorite youre seid Suppliaunt and his heires have, possede, joy, and enherit all maner of Possessions, and hereditaments in like maner and fourme, and as ample and large wise, as the same John shuld have doon yf the same Acte or Actes never had been made ayenst the same John, and that the feid John and his heires, have, hold, joy, and enherit all Castelles, Maners, Lordships, Londes, Tenementes, Rents, Services, Fees, Advoufons, and all other Hereditamentes and Possessions, with their appurtenancez which come, or ought to have comyn to youre hands by reason of the same Acte or Actes made ayenst the same John, and feoffeez to his use, and into theym, and every of theym, to entre, and theym to have, joy and possede in like maner, fourme, and condition, as the same John shuld have had or doon, yf the same Acte or Actes never had been made ayenst the feid John and his said feoffez to his use, without fuying them, or eny of theym out of youre handes by petition lyvere, or otherwise by the course of your lawes.

And that all Lettres patentes made by your Highnes to the feid John, or to eny persone or persones of eny of the premisses be voide, and of noon effecte ; Saving to every persone such title right and lawful entre as they or any of theym, had at the tyme of the said Acte or Actes made ayenst the same John or any tyme sith, other than by meane and virtue of youre Lettres patentes made sith the

fourth day of March the first yeare of youre reigne, or eny tyme sith. And that noo persone or perſones be empeched nor hurt of, or for takyng any iſſues or profittes, nor for eny offences doon in, or of eny of the premiffes, afore the third day of the moneth of Aprill the thirteenth yere of youre reigne, and ſith the ſaid fourth day of March by the ſeid John or eny feoffez to his uſe by way of action, or otherwiſe.

Provided alway that noo perſone nor perſones atteynted, nor their heires, take, have, or enjoy, any avauntage by this preſent Acte, but oonly the ſaid John and his heires in the premiffes, and alſo the feoffez to the uſe of the ſeid John oonly, for of and in the premiffes which the ſame feoffez had to the uſe of the ſeid John the ſeid thirtieth day or any tyme ſith: And youre ſaid Suppliant ſhull pray to God for the preſervation of youre mooſt Roiall Aſtate.

Conſideryng Soverayn Lord, that youre ſeid Suppliant lovith ſo, and tenderith the good of youre mooſt noble Aſtate, that he late by large and clere writyng delyvered unto youre Highnes, hath ſo declared all the maters which were written in Scotland and elleſwhere, ayen youre right or title, which writynges have in eny wiſe comen unto his knowelege, or that he at eny tyme hath be pryve unto theym; and alſo hath ſo clerely diſproved all the arguments that have be made ayen the ſame right and title, that nowe there remayneth no colour, or matere of argument to the hurt or infamy of the ſame right or title, by reaſon of any ſuch writyng, but the ſame right and title ſtonden nowe the more clere and open by that any ſuch writyngs have be made ayen hem.

On the 6th of October, in the year 1473, this petition was laid before Parliament by the King's command.

The following record occurs in the Rolls of Parliament:¹—

PRO JOHANNES FORTESCUE.

Memorand: quod dicto sexto die Octobris Anno Tertidecimo prædicto, quædam Petitiõ exhibita fuit prefato Domino Regi in prefenti Parlamento per Johannem Fortescue Militem, in hæc verba.

(Here follows the Petition, as before.)

Qua quidem Petitione in Parlamento prædicto lecta, audita, et plenius intellecta, de adviſamento, et aſſenſu, Dominorum Spiritualium et Temporalium, et Communitatis Regni Angliæ, in dicto Parlamento exiſtentium, . . . et auctoritate ejusdem, respondebatur idem in forma ſequenti.

Soit fait comme il eſt deſiré.

And the final ſtage in the reverſal of the attainder was completed upon the ſigning of the Exemplification or Inſpeximus on the 14th of February, 1475. The document runs thus:—

EDWARDUS dei gratia Rex Angliæ, Franciæ, et Dominus Hiberniæ, Omnibus ad quos preſentes litteræ pervenerint, ſalutem. Inſpeximus quandam petitionem in Parlamento noſtro apud Weſtmonaſterium ſexto die Octobris, anno regni noſtri duodecimo ſummonito et tento, et per diverſas

¹ From Rolls of Parliament, vol. vi. p. 69.

prorogaciones usque ad et in sextum diem Octobris, anno regni nostri tertidecimo, per Johannem Fortescu militem exhibitam in hæc verba: To the kyng oure fovyeyne lord, In the moost humble wise sheweth unto your most noble grace, &c. &c. &c.

(The whole Petition as before is here recited.)

Inspeximus etiam assensum eidem petitioni per communitates regni nostri Angliæ in dicto parlamento existentes, secundum est in dicta petitione specificatum in hæc verba, *A cest bille les coenz sont essentuz.* Inspeximus insuper quandam responsionem idem petitioni per nos de advisamento et assensu dominorum spiritualium et temporalium in dicto parlamento similiter existentium, ac communitatis prædictæ, necnon auctoritate ejusdem Parlamenti factam et in dorso ejusdem petitionis insertam in hæc verba, *soit fait come il est desire.* Nos autem tenores petitionis, assensus, et responsionis prædictæ, ad requisitionem præfati Johannis duximus exemplificandos per presentes. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Westm. quarto decimo die Februarii, Anno regni nostri quarto decimo.

GUNTHORP.

Ex^d. per { Johannem Gunthorp }
 { Thomam Ivo } Certificatores.¹

At the same time Petitions almost in the same words with the foregoing were presented from several of the Lancastrians who had been Fortescue's companions in exile, and in war; namely, Thomas Ormond, Sir Henry Roos, Doctor Mackerell, and Doctor, afterwards Cardinal, Morton. The career of the last was, in many particulars, and up to a certain point, like his own. Having risen to the highest place as an advocate in the Ecclesiastical Courts under Henry VI., he was sworn of the Council, and presented with valuable livings; like Fortescue, he adhered with unshaken fidelity to the Lancastrian cause so long as that cause existed; they were together at the Battle of Towton, and in exile in France; and although Morton is not mentioned as being present at the defeat at Tewkesbury, he returned to England about that time, and, being pardoned by Edward, was restored, like Sir John, to the Council. He was, however, fifteen or twenty years his junior, and still young enough to be employed. We consequently find him Master of the Rolls in 1473, and Bishop of Ely, and finally, under Henry VII., Archbishop of Canterbury, Cardinal, and Chancellor.² So closely allied in these times, as in those before them, were the professions of the Law and of the Church; so averse were men from appearing to put asunder what, as it seemed to them, God had joined together, by drawing a distinction between the laws of God and the laws of man, until the Reformation, recognizing the fact that an enlightened Christianity permits wide differences of opinion as to the interpretation of the details of the former code, made it impossible in a free State to continue in practice what

¹ Campbell, Lives of the Chancellors, vol. i.

² Campbell, i. p. 417.

in theory it is so delightful to contemplate, viz. a Church and a State not united, but essentially one.

This same feeling appears in the strong theological tone, and the frequent and arbitrary quotations from Holy Scripture and from the Fathers, as from legal authorities, which are so prevalent in Fortescue's works, as well as in those of his contemporaries who wrote upon law.

After Sir John's restoration to his estates he does not appear to have taken any part in public affairs.

The latest notice of him which I have seen is in the Records of the Exchequer, in the 15th year of this reign, namely in February, 1476, when he delivered into the Exchequer an Assize that had been taken before him when Chief Justice.¹

His treatise, "On the Difference between Absolute and Limited Monarchy," was written during this period.

He lived quietly for some years at Ebrington a manor house part of which still remains included in the present less ancient building, close to the church and pretty village of the same name, looking over a smiling country of gentle hills and slopes, on the borders of Gloucestershire and Worcestershire, within the former county.

"Here," says Lord Campbell, "he quietly spent the remainder of his days, and here he died, leaving a great and venerable name to his posterity and his country." According to the local tradition, which the present occupant of the manor house repeated to me, he lived to be ninety years old.

He was buried in the parish church, near the communion table on the north side, where his tomb still remains. The following is copied from notes taken by the author on the spot on the 8th of August, 1863. The church is not in itself remarkable, nor, except where a good Norman arch remains, near the tower, inside, can it be as old as the Chancellor's time. His monument is against the north wall inside the communion rails. It consists, first, of a large mural tablet, put up in 1677 by Colonel Robert Fortescue, the then owner of the family property, surmounted by the Fortescue arms, bearing the following inscription:—

In
Fælicem et immortalem memoriam
Clarissimi Viri Domini
JOHANNIS FORTESCUTI
Militis Grandævi Angliæ Judicis Primarii
Et processu temporis sub Henr. VI. Rege et
Edwardo Principe summi Cancellarii

¹ Kal. Excheq. iii. 8. Quoted in Foss, *Lives of the Judges*, vol. iv., article "Fortescue."

Chancellor Fortescue.

Regis Consiliarii prudentissimi,
 Legum Angliæ peritissimi
 Necnon earundem
 Hyperaspistæ
 Fortissimi
 Qui
 Corporis Exuvias Lætam Refur-
 rectionem expectantes
 Hic deposuit.

Marmoreum huc monumentum
 Positum est A.D.

M.DCLXXVII.

Voto et Expensis Roberti Fortescuti
 Armigeri ejusdem Familiæ Hæ-
 redis nuper defuncti.

Angligenas intra Cancellor Juris et Æqui
 Qui tenuit, Cineres jam tenet Urna Viri.
 Lex viva ille fuit Patriæ, Lux splendida Legis,
 Forte bonis scutum, fontibus et scutica.
 Clarus erat titulis, clarus Majoribus, Arte
 Clarus, virtute ast clarior emicuit.
 Jam micat in tenebris, veluti Carbunculus Orbi,
 Nam Virtus radios non dare tanta nequit.
 Vivit adhuc Fortescutus laudatus in Ævum;
 Vivit et in Legum laudibus ille fuis.

In English thus:¹—

To
 The happy and immortal memory
 Of that most famous man
 SIR JOHN FORTESCUE,
 An ancient Knight, Chief Justice of England,
 And in process of time, under Henry VI.

¹ The English is from the Biographia Britannica.

And Prince Edward, High Chancellor.
Of the King, the most prudent councillor,
In the laws of England profoundly learned,
And of these laws also
A Champion
Invincible ;
Whose earthly remains, in expectation of
A joyful Resurrection,
Are here deposited ;

This marble monument
Is erected

M.DCLXXVII.

By the direction and at the expense of
Robert Fortescue, Esq.
The direct heir of this family, lately deceased.

Of him, who justice could the best explain,
This little urn does all that's left contain.
His country's living law, that law's great light,
The scourge of wrong, and the defence of right ;
His birth distinguished, merit gave him state,
Learning, applause, but virtue made him great.
Through darkness now a carbuncle he shines,
Nor wisdom's rays the gloomy cave confines ;
To latest times shall Fortescue be known,
And in the law's just praise be read his own.

Below the tablet on a small slab are these words :—

“ To perpetuate the memory of that learned and excellent man, Chancellor Fortescue,
this monument was repaired by his descendant, Matthew Lord Fortescue, in the
year 1765.”

And on a brass plate, still lower on the wall :—

“ Restored by the Right Honble. Hugh 3rd Earl Fortescue, A.D. 1861.”

Below this is the tomb itself, surmounted by a full-length figure of the Chancellor in red robes and cap, very brilliant in their new paint, lying on his back, with the hands joined as in prayer. On the three sides of the tomb the family arms are repeated several times on shields, also coloured newly. The tomb and figure are supposed to have been erected soon

after the Chancellor's death. The print annexed, from Mr. Maunde's drawing, is a perfectly correct representation of the whole.

The antiquary Thomas Hearne in his unpublished diary corrects a mistake made by some authors as to the age of the tomb. He writes, November 29th, 1733:—

"Sir Robert Atkyns, in his description of Gloucestershire, hath made a gross mistake (in which he hath been followed by Bishop Gibson, the author of the 'Magna Britannia,' &c. &c.) in asserting that my Lord Chancellor Fortescue's monument, with his effigies, in Ebburton Church, was set up by his heir in 1677. For tho' it be true that in the year 1677 a monument with an inscription was fixed in the wall on the north side the chancel, yet that with his effigies (which is a raised monument of free-stone, finely painted in colours, standing on the north side the chancel, within the communion rails) was erected, as any eye may witness by the form of the workmanship, immediately after his death."

The writer of Fortescue's Life, in the "Biographia Britannica," in like manner says that the old tomb and figure were, judging by their appearance of antiquity, and by the style of their workmanship, probably executed soon after his interment.

Two engraved portraits of the Chancellor are given in this volume. One is a reproduction of Faithorne's print, which Sir John Fortescue of Salden, the second baronet, caused to be engraved for Waterhouse's "Fortescutus Illustratus," published in 1663. The author writes:—"Sir John Fortescue, who resides at Salden, very civilly and like a Gentleman of Honour, sensible of the service I aimed to do to the memory of the Chancellor his Noble Kinsman, presented me with the Picture which he caused to be cut to be hereunto prefixed."¹

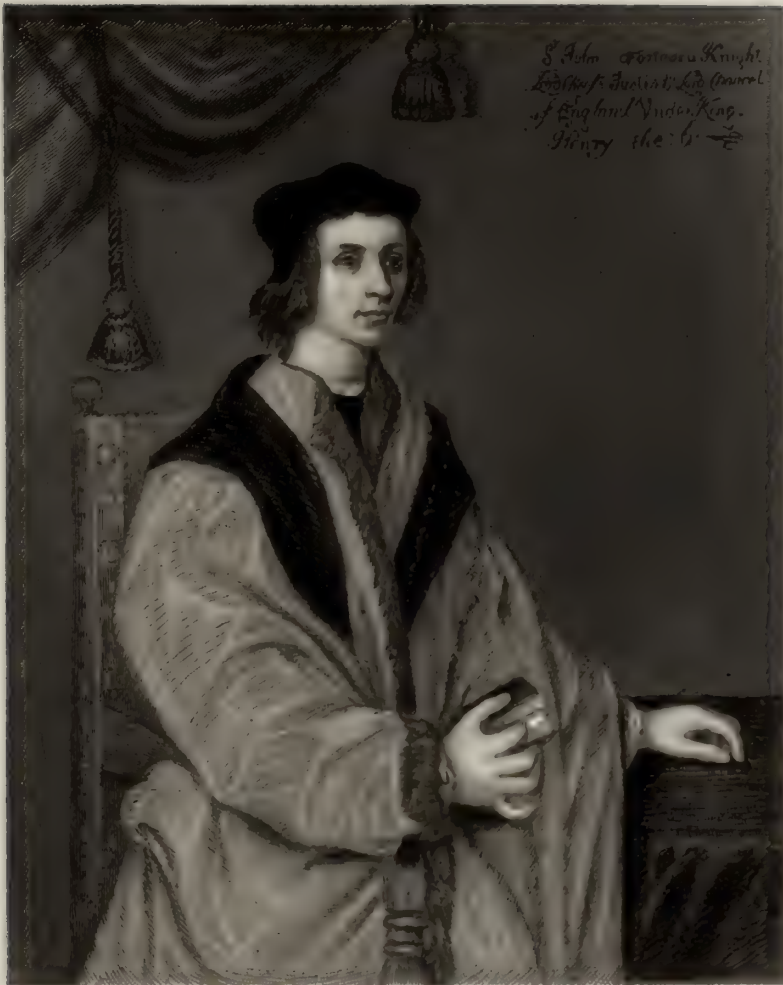
This portrait, with probably all others of the Chancellor now in existence, except that at Castlehill, was copied from that original picture on panel, measuring 16 inches by 11 inches, of small life-size.

The second engraving is from Sir Francis Fortescue's Turville's picture at Husband's Bosworth, painted on canvas about the year 1600, and said to have come from Salden House. It was very liberally and obligingly lent me by the owner to be engraved for this work.

Sir John's only son, Martin, died before his father, in 1472, on the 12th of November,² leaving, as we find by a Post Mortem Inquisition held at Torrington on the 12th of May, 12th of Edward IV., his son and heir John Fortescue, aged twelve years, and a second son William. Through this elder son the estate of Ebrington has come down in direct male succession to the present Earl Fortescue—who, I trust, will long enjoy it, and be allowed to hand it on to a lengthened line of male posterity. Lord Fortescue's estates of Wear Giffard, and Filleigh, or Castlehill, have been in like manner inherited through the Chancellor's grandson in right

¹ Fortescutus Illustratus, Introduction.

² Inq. P. Mortem, 12 Edward IV. See Appendix.



Sir Adam Poter Knight
Lord of the Manor of Poter
of England Under King.
Henry the 6th

of his mother, the heiress of Denzile. His younger grandson, William, succeeded to the Buckland-Filleigh property, and it continued in his male descendants until the year 1776, when, upon the death of John Fortescue, who had inherited it from the Right Honourable William Fortescue, the estate passed in the female line to Mr. Richard Inglett, and was sold by his son Colonel John Inglett Fortescue,¹ who died in the year 1840.

The present Earl Fortescue informs me that neither he nor any member of his family holds any other lands which at any time were the Chancellor's, excepting Ebrington. Philip's Norton in Somersetshire,² which came to him by his wife Isabella Jamys, remained with his descendants until sold by Hugh Fortescue, Earl Clinton, about 1725, to a Mr. Edward Trip.

The male descendants of the Chancellor of the Buckland-Filleigh house, although extinct in the elder line, have been continued through Sir Faithful Fortescue of Buckland-Filleigh, who went to Ireland in the reign of James I. with his uncle, Arthur Lord Chichester, the Lord Deputy, and was the ancestor of the Earl of Clermont, and of the writer of this family history.

Of Sir John Fortescue's character there appears to have been, from his own times to the present, but one opinion. His judgments are still referred to with veneration, and the only two of his works which have been hitherto published are quoted by nearly all who have written on the early English constitution as authorities of the greatest weight, both as to facts and doctrines.

A writer born about twenty years after Fortescue's death—Bishop Bale, in his "*Scriptorum Illustrum Majoris Britanniae Summarium*"—is among the earliest who have left on record an opinion of his merits:—

"FOSKEVVE CANCELLARIUS.

"Foskevve alias Forteskevve ut Recordus habet,³ juris peritissimus, primarius iudex, et Angliæ Regni Cancellarius summus, inter eruditos in nostro catalogo locum et doctis laboribus honorificum petit. Quem si illi negaremus ingrati merito appellaremur.

"Excoluit tum juvenis, tum etiam senex, virtutem, literasque politas ut qui maxime semper amavit.

"Inter forenses Londini clarissimus juris civilis interpretes admittebatur; ac nobiliores in schola juvenes, peculiares a regibus conditas leges perdocuit. Inde a gradu ad gradum

¹ Buckland-Filleigh Pedigree; Inscription in Buckland-Filleigh Church.

² Lord Fortescue's Letter of November 6, 1865.

³ Recordus, i.e. Robert Record, a writer who died in the last year of Queen Mary, 1558. See Biog. Brit., article "Fortescue."

ascendit donec esset supremus Angliæ Cancellarius, quod munus in reipublicæ administratione et auctoritate, et dignitate, in eo regno longe maximum est.

“In quo officio tam candidè se gessit ut justiciæ ac prudentiæ laus illi tribueretur summa. Quidquid dignitate valebat, aut gratia apud Principem, id juvandæ reipublicæ totum impendisse fertur.

“In hoc zelo pietatis scripsit sub Henrico Sexto, Differentiam inter leges provinciales ac civiles, vel,

‘De Discrimine Legum,’ Lib i. ‘Seviente dudum in regno Angliæ.’

‘De Laudibus Legum,’ Lib i.

‘De Politica Administratione,’ Lib i.

‘De Vigore Legis Naturalis,’ Lib i., aliaque nonnulla.

“Tandem fuit exul ab Angliâ. Et colligo illum claruisse circum tempus civilis belli quo Edwardiani cum Henricianis Anno Domini 1460, de imperii summâ pertinacissimè certabant. Exilii vero causas non legi.”

Sir Edward Coke,¹ the celebrated Chief Justice of the reigns of Elizabeth and James, mentions his “profound knowledge of the law, and his excellence as an Antiquary,” styling him “that most reverend and honorable Judge,” and when commending Trial by Jury, he says:² “For the excellency of this kind of trial, and why it is only appropriated to the common laws of England, read Justice Fortescue, chapters 25, 26, 28, 29, 30, 31, 32, &c. &c., of his book ‘De Laudibus Legum Angliæ,’ which being worthy to be written in letters of gold for the weight and worthiness thereof, I will not abridge any part of the same but refer the learned reader to the fountain itself;” and in another place³ he relates with approbation a case in the 34th of Hen. VI. where the Judges, with Fortescue at their head and speaking for them, gave an opinion against the power of the King to make Sheriff of Lincolnshire a person who had not been “chosen and presented unto his Highness, after the effect of the Statute in such behalf made.”

Here is the opinion of Coke upon Sir John’s conduct in retracting his Defence of Henry VI.⁴

“To the Reader—

“FORTESCUE *De Laudibus Legum Angliæ*; this book was written in the reign of King Henry VI, in commendation of the Laws of England, containing withal much excellent

¹ Sir E. Coke, 6th Part of Reports, 4to., London, 1777.

² Sir E. Coke, 8th Part of Reports, 1777, f. xiv.

³ Coke, 2nd Part of Institutes of the Laws of England, 4to., London, 1642, f. 559.

⁴ Tenth Part of Reports of Sir E. Coke, 4to., London, 1777, folio xvi.

matter worthy the reading. He wrote also a book in defence of the title of King Hen. VI. his sovereign Lord and Master, to the crown of England; but after, out of truth and conscience, retracted the same, both which I have. Wherein he derived singular commendation, is that he was not amongst the number of those 'qui suos amassent errores,' but yielded to truth when he found it. This Sir John Fortescue was Lord Chief Justice of England, and afterwards Lord Chancellor of England, and his posterity remain in great and good account to this day."

An anonymous admirer has written, in a hand bearing marks of being almost as old as the volume which contains them, the following lines:—

"Legis en nostræ tibi forte-scutum
Sive rem spectes, seriemve scripti
Sive Scriptoris placeat notare
Nobile Nomen."

These are on the flyleaf of a copy of an edition of "*De Laudibus*," published in the year 1599, now in my possession.

In the same sense Sir Walter Raleigh styled him "that notable bulwark of our laws."¹

To come down to our own time, I find the character of Sir John as a Judge, a Statesman, and a Writer so fully and so favourably drawn by the late Lord Campbell, he himself, like Fortescue, an authority of high literary as well as legal reputation, that I shall without apology insert here, in conclusion, an extract from the interesting memoir.²

"It is delightful, amidst intriguing Churchmen and warlike Barons who held the Great Seal in this age, to present to the reader a lawyer not only of deep professional learning, but cultivated by the study of classical antiquity; and not only of brilliant talents, but the ardent and enlightened lover of liberty, to whose explanations and praises of our free constitution, we are in no small degree indebted for the resistance to oppressive rule, which has distinguished the people of England.

"As a Common-law Judge, Fortescue is highly extolled by Lord Coke, and he seems to have been one of the most learned and upright men who ever sat in the Court of King's Bench.

"He laid the foundation of parliamentary privilege to which our liberties are mainly to be ascribed. He had the sagacity to see, that if questions concerning the privileges of Parliament were to be determined by the Common-law Judges appointed and removable by the Crown, these privileges must soon be extinguished, and pure despotism must be established.

¹ Raleigh, *History of the World*, 1614. London, Pt. i. Book i. chap. iv. sec. 16, p. 247 (see *Biog. Brit.* p. 1999).

² Campbell, *Lives of the Chancellors*, vol. i. pp. 371, 376, et seq.

He perceived that the Houses of Parliament alone were competent to decide upon their own privileges, and that this power must be conceded to them, even in analogy to the practice of the Court of Chancery, and other inferior tribunals. Accordingly, in Thorpe's case, he expressed an opinion which, from the end of the reign of King Henry the Sixth till the commencement of the reign of Queen Victoria, was received with profound deference and veneration.

"Thorpe, a Baron of the Exchequer, and Speaker of the House of Commons, being a Lancastrian, had seized some harness and military accoutrements which belonged to the Duke of York, who brought an action of trespass against him in the Court of Exchequer to recover their value. The Plaintiff had a verdict, with large damages, for which the Defendant, during a recess of Parliament, was arrested and imprisoned in the Fleet. When Parliament re-assembled, the Commons were without a Speaker, and the question arose whether Thorpe, as a Member of the Lower House and Speaker, was not now entitled to be discharged?"

"The Commons had a conference on the subject with the Lords, who called in the Judges, and asked their opinion.

"The said Lords spiritual and temporal, not intending to impeach or hurt the liberties and privileges of them that were coming for the commerce of this land to this present parliament, but legally after the course of law to administer justice, and have knowledge what the law will weigh in that behalf, opened and declared to the Justices the premises, and asked of them whether the said Thomas Thorpe ought to be delivered from prison by, for, and in virtue of the privilege of parliament or no? 'To the whole question,' says the report, 'the Chief Justice Fortescue, in the name of all the Justices, after said communication and mature deliberation had amongst them, answered and said: that they ought not to answer that question; for it hath not been used aforetime that the Justices should in any wise determine the privilege of this high court of parliament; for it is so high and so mighty in its nature, that it may make law; and that that is law it may make no law; and the determination and knowledge of that privilege belongeth to the Lords of the parliament, and not to the Justices.'¹

"In consequence of this decision, the two Houses of Parliament were for many ages allowed to be the exclusive judges of their own privileges; liberty of speech and freedom of inquiry were vindicated by them; the prerogatives of the Crown were restrained and defined; and England was saved from sharing the fate of the monarchies on the Continent of Europe, in which popular assemblies were crushed by the unresisted encroachments of the executive government.

"What acquaintance Fortescue had with equity we have no means of knowing; but it is

¹ Thorpe's case, 31 Hen. VI. A. D. 1452. 13 Rep. 63. 1 Hatfield, 29. Lord Campbell's Speeches, 225.

clear that he was not a mere technical lawyer, and that he was familiar with the general principles of jurisprudence.

“As a writer his style is not inelegant, though not free from the barbarism of the schools; and he displays sentiments on liberty and good government which are very remarkable, considering the fierce and lawless period when he flourished.

“His principal treatise has been celebrated not only by lawyers, but by such writers as Sir Walter Raleigh, and not only by Englishmen, but by foreign nations.¹

“Notwithstanding his tardy submission to the House of York, he is to be praised for his consistency as a politician. Unlike the Earl of Warwick and others, who were constantly changing sides according to interest or caprice, he steadily adhered to the House of Lancaster until it had no true representative, and the national will had been strongly expressed in favour of the legitimate heir. We must indeed regret the tyranny of Edward, who would not generously pardon him on account of his fidelity to his former master; but his compliance with the arbitrary condition imposed upon him should be treated with lenity by those who have never been exposed to such perils.”

A List is here appended of all the works of Chancellor Fortescue which exist, or which are known to have existed.

I. DE TITULO EDWARDI COMITIS MARCHIÆ.

A Latin Treatise written in the reign of Henry VI. Only one copy is known to exist. It is in the collection of MSS. belonging to Lord Calthorpe. First printed by Lord Clermont in 1877, not having been discovered by Mr. Alfred Horwood until after the issue of the edition of Fortescue's works in 1869.²

2. OPUSCULUM DE NATURA LEGIS NATURÆ.

A Latin Treatise, in two Parts; sometimes called “De Vigore Legis Naturalis.” A copy of Part I. is in the Bodleian, among the Laud MSS., and there was also a copy in the Worsley Library. The only known copy of Part II. is in the Lambeth Library, which contains a MS. of the whole Treatise complete. This second part was not known in 1732 to Mr. Gregor, who says, in his Preface to “De Laudibus,” that it was supposed to be lost, or probably destroyed by its author, a remark repeated in the “Biographia Britannica” in 1750. Mr. Casley,

¹ Chancellor Kent's *Caufes*.

² The reference to the folio volume which contains this MS. is MSS. Yelverton, N. 69.

in his list of Fortescue's works, in 1745, makes no mention of a second part.
First printed in 1869.

3. *DE LAUDIBUS LEGUM ANGLIÆ.*

A Latin Treatise, first printed in the reign of Henry VIII.

4. *DE DOMINIO REGALI ET POLITICO.*

Written in English. Edited and printed by Lord Fortescue of Credan, in 1714 and 1719.

5. *A DIALOGUE BETWEEN UNDERSTANDING AND FAITH.*

The only known copy is on six leaves folio, in the Cotton Collection in the British Museum. It was much injured by the fire in 1731. First printed in 1869.

6. *OF THE TITLE OF THE HOUSE OF YORK.*

A Treatise written in support of the claim of the House of Lancaster, of which the fragments in this volume, first printed in 1869, are all that are known to exist. The Cotton copy of the MS. was destroyed in the great fire, and there is no other copy known.

7. *A DEFENCE OF THE HOUSE OF LANCASTER.*

The only known copy perished in the fire at the Cotton Library; it was written upon one leaf. The only remaining passage is that in this volume, first printed in 1869.

8. *DEFENSIO JURIS DOMUS LANCASTRIÆ.*

Written in Latin. The only known copy perished in the fire at the Cotton Library. The passages from this work which, with one exception, were first printed in 1869 are all that have survived.

9. *A GENEALOGY OF THE HOUSE OF LANCASTER.*

The Cotton copy lost, and no other known.

10. *GENEALOGIA REGUM SCOTIÆ AB ADAMO VSQUE AD JACOBUM SECUNDUM.*

The Cotton copy lost; no copy known to exist.

11. *THE DECLARACION BY JOHN FORTESCU, KNYGHT, UPON CERTAYN WRYTINGS SENT OUTE OF SCOTLANDE AYENST THE KINGE'S TITLE OF THE ROIALME OF ENGLAND.*

Several copies exist in MS. It was first printed in 1869.

A work given in Casley's list of Fortescue's works as "A Defence of the House of York, and King Edward IV." appears to be merely the above "Declaracion"

under a different name; for although the list was made so late as in 1745, no trace of any such treatise can be found, and yet, if it was then in existence, it could hardly be now forgotten.

12. A LIST OF THE COMODYTES OF ENGLAND.

The only copy of this work known to the editor is among the Laud MSS. in the Bodleian, from which it was first printed in 1869. Its authorship has been doubted by writers.

13. LEGAL ADVICE TO PURCHASERS.

In verse, on a single page, headed "*Breve quoddam utile secundum Fortescu.*" First printed in 1869 from a MS. in the Rawlinson Collection in the Bodleian.

Risdon, writing about A.D. 1600, says that "Sir John Fortescue wrote a Prayer Book, which favoured much of the times we live in." See Risdon's "*Survey of Devon*," p. 189. This is the only notice of its existence.

It appears from the above list that with the exception of the "*De Laudibus Legum Angliæ*," and of the "*De Dominio Regali et Politico*," none of Fortescue's works were printed until they were collected in the edition printed by Lord Clermont in 1869.

APPENDIX A.

Patent Rolls, 21 Hen. VI., Pt. 2, No. 34 (12 February, 1443).

Pro JOHANNI FORTESCUE et aliis de Confirmatione.



OMNIBUS ad quos etc. salutem. Inspeximus quandam cartam indentatam dilectorum nobis in Christo Ricardi nuper Prioris domus loci dñt. de Henton ordinis Cartusienfium et ejusdem loci conventus factam in hec verba : Sciant presentes et futuri quod nos Ricardus Prior domus loci dei de Henton ordinis Cartusienfium et ejusdem loci conventus dedimus concessimus et hac presenti carta nostra indentata confirmavimus Johanni Fortescu et Isabelle uxori ejus ac Margerie que fuit uxor Johannis Jamys matri predictę Isabelle totum illud messuagium in villa de Philippes Norton in quo predicta Margeria modo inhabitat cum curtilagio et gardino eidem mesuagio adjacentibus prout eadem curtilagio et gardinum muris lapideis includuntur, necnon totum illud messuagium cum gardino et crofto eidem messuagio adjacentibus scituatum ad finem australem ville predictę que Johannes Boucher jam ad voluntatem nostram accupat ac eciam totum croftum nostrum vocatum Bennettis-crofte et quatuor acris terre in campo australi et quatuor acras terre in campo boreali predictę ville prout eidem octo acre terre metis et bundis de novo fixis limitantur cum omnibus portis asiamensis et communi pasture in campis et pasturis nostris sicut tenentes messuagium predictorum ante hec tempora ad voluntatem nostram vel predecessorum nostrorum melius et liberius habuerunt et occupaverunt, ac cum omnibus aliis pertinentiis suis, habendum et tenendum omnia predicta messuagia curtilagia gardina crofta et terram una cum portis viis asiamensis communi pasture et omnibus aliis pertinentiis predictis prefatis Johanni Fortescu et Isabelle uxori sue ac prefate Margerie et heredibus masculis de corporibus predictorum Johannis Fortescu et Isabelle legitime exeuntibus imperpetuum. Reddendo inde annuatim nobis et successoribus nostris tres decem solidos et quatuor denarios ad festa pasche, Nativitatis scī Johannis Baptiste, scī Michaelis Archangeli et Nativitatis Domini per equales porciones solvendos pro omni servicio, exactione et demanda, et si contingat eosdem Johannem Fortescu et Isabellam obire sine herede masculo de corporibus suis exeunte legitime omnia predicta mesuagia curtilagia gardina crofta et terra cum portis viis asiamensis communi pasture et omnibus aliis pertinentiis predictis post mortem Margerie ad nos et successores nostros integre revertantur. In cujus rei testimonium tam nos sigillum nostrum commune quam predicti Johannes Fortescu, Isabella et Margeria, sigilla sua partibus hujus carte indentate alternatim apposuvimus. Hiis testibus Johanne Longe clerico, Rectore de Norton, predicta, Johanne Swyfte, Patricio Tarmonger, Johanne Troys, Johanne Fysher et alii. Data in domo nostra capitulari apud Henton die Martis proxime post festum scī Hillarii anno regni Regis Henrici sexti post conquestum decimo nono. Nos autem tam cartam predictam ac omnia et singula in eadem carta contenta quam statum et possessionem ipsorum Johannis Fortescu, Isabelle et Margerie in messuagiis curtilagiis gardinis croftis viis asiamensis et communis predictis quos virtute ejusdem carte et liberationis seifine eis per eandem cartam per predictum nuper Priorem factę adepti sunt, ut dicitur, rata habentes et grata ea pro nobis et heredibus nostris quantum in nobis est acceptamus, approbamus ac prefatis Johanni Fortescue et Isabelle et dictis heredibus masculis de corporibus suis

exeuntibus necnon prefate Margerie ad terminum vite sue tenore prefencium concedimus et confirmavimus prout carta predicta rationabiliter testatur. Et ulterius de uberiori gratia nostra concessimus pro nobis et heredibus nostris predictis quantum in nobis est eisdem Johanni Fortescu Isabelle et Margerie quod ipsi omnia et singula predicta mesuagia curtilagia gardina crofta et terram cum portiis viis asiammentis communi pasture et omnibus aliis pertinentiis predictis habeant et teneant eis et dictis heredibus masculis de corporibus predictorum Johannis Fortescu et Isabelle exeuntibus per redditum predium in forma predicta supradicta absque impetitione sive impedimento nostri vel heredum nostrorum Justiciariorum, Escaetorum, vicecomitum, coronatorum aut aliorum ballivorum seu ministrorum nostrorum vel heredum nostrorum quorumcunque eo quod domus sive prioratus predictus de fundacione progenitorum nostrorum alicujus aut alicujus progenitoris nostri de nostro prioratu existit seu eo quod tenementa predicta inter alia data fuerunt et concessa domui supradicto sive priori et conventui ejusdem loci pro tempore existentibus et successoribus suis per aliquem progenitorum aut antecessorum nostrorum in liberam puram et perpetuam elemosinam, vel ad aliqua divina seu alia servicia sustinenda vel facienda seu eo quod eadem tenementa de nobis tenentur in capite non obstante. In cujus, &c. T. R. apud Westmonasterium xij die Februarii.

Per ipsum Regem et de data predicta auctoritate parlamenti.

APPENDIX B.

Patent Rolls. 20 Henrici VI. Annuity for John Fortescue.

Pro Johe Fortescue,

REX omnibus ad quos, etc. Salutem. Sciatis quod gracia nostra speciali et ut dilectus et fidelis noster Johannes Fortescu Capitalis Justiciarius noster Statum suum decentius manutenere et expensas quas ipsum in officio predicto facere oportebit sustinere valeat, concessimus ei centum et quatuor viginti marcas percipiendas singulis annis per manus clerici sive custodis hanaperii nostri aut per manus custumariorum in portibus Londonis, Bristoll, et villæ de Kingeston super Hull pro tempore existentium ad terminos Paschæ et Sancte Michaelis per equales portiones juxta formam cujusdam acti in ultimo parlamento nostro inde editi, necnon centum et sex solidos undecim denarios unum quadrantem et sextam partem unius oboli percipiendos singulis annis ad festum Natalis Domini pro una roba et furrina pro eadem erga idem festum, et sexaginta et sex solidos et sex denarios percipiendos singulis annis ad festum Pentecostes pro una roba et livura pro eadem erga idem festum per manus predicti Clerici sive Custodis aut predictorum Custumariorum juxta formam acti supradicti. In cujus, etc. Teste Rege apud Westminster xxv^o die Januarii.

Per breve de privato Sigillo et de data predicta auctoritate parlamenti.

Patent Rolls. 21 Henry VI., (A.D. 1443.) Pro Johanne Fortescu.

Rex omnibus ad quos, etc. etc. Salutem.

Sciatis quod,

Cum nuper per literas nostras patentes quarum Data est apud Westmonasterium Sexto Die

Februarii Anno Regni Nostri Vicefimo confesserimus dilecto et fideli Nostro Johanni Fortescu Militi, per nomen, Johannis Fortescu, unum Dolium vini Percipiendum annuatim pro termino vitæ suæ in Portu Villæ nostræ Bristollia, per manus principalis Pincernæ nostræ, et Hæredum nostrorum, vel ejus deputati ibidem, qui pro tempore fuerit, prout in eisdem Literis patentibus plenius continetur.

Nos tamen de uberiori gratiâ nostra et ex mero motu nostro, ac pro bono servitio quod idem Johannis Fortescu Nobis impendit, et impendet in futurum, concessimus idem Johanni unum alium Dolium vini, Percipiendum annuatim, a Festo Sancti Michaelis Archangeli ultimo præterito, pro Termino vitæ suæ in portu prædicto per manus capitalis Pincernæ nostræ, et Hæredum nostrorum, vel ejus Deputati ibidem qui pro tempore fueret, simul cum prædicto Dolio vini annuo quod ei, ut præmittitur, concessimus; eo, quod expressa mentio de aliis donis, et concessionibus, per Nos eidem Johanni ante hæc tempora factis, hic facta non existit non obstante.

In cujus, etc. etc.

Teste Rege apud Westmonasterium vicefimo tertio die Maii.

Per ipsum Regem, et de data prædicta, auctoritate Parlamenti.¹

Patent Rolls. 25 Hen. VI. (March 22, 1447).

Rex omnibus ad quos etc. Salutem, Sciatis quod de gratia nostra speciali et ex certa sciencia et mero motu nostris et ut dilectus et fidelis noster Johannes Fortescue miles capitatis Justiciarius noster ad placita coram nobis, teneat statum suum decencius manutenere et expensas quas ipsum in officio suo predicto et postquam ab eodem officio cessavit consideratione ejusdem officii facere oportebit sustinere valeat, concessimus eidem Johanni pro riguardo suo racione servicii sui quod nobis in officio predicto impendet et indies impendere non desistet, quadraginta libras ultra omne id quod ei quod per aliquas literas nostras patentes ante hec tempora concessimus, percipiendas easdem quadraginta libras a festo Scī Michaelis archī ultimo preterito, singulis annis ad festa pasche et Scī Michis per equales porciones de exitibus et proficiis hanaperii nostri per manus clerici sive custodis ejusdem hanaperii pro tempore existentis aut de custumis nostris in portubus London, Bristoll et ville de Kyngefton super Hull aut in aliquo eorumdem per manus custumariorum in eisdem portubus aut in aliquis eorumdem pro tempore existentium juxta formam cujusdam acti in parlamento nostro, anno regni nostri decimo octavo editi pro termino vite predicti Johis eo quod expressa mencio de aliis donis et concessionibus per nos eidem Johanni ante hec tempora factis hic facta non existit et quocunque statuto aut acta in contrarium facto non obstante. In cujus rei test., etc. Teste Rege apud Westm. xvij. die Marcii.

Per breve de privato sigillo.

¹ Rymer, *Fœdera*, vol. v. part i. p. 120. (Ed. Hagæ Comit.).

APPENDIX C.

Inquisition upon Attainder of SIR JOHN FORTESCUE, Knt., 4 November, 7 Edw. IV. (1467).

Taken May 20, 1468, at Amesbury, Wilts.

INQUISICIO capta apud Ambresbury in Comitatu Wiltes, vicefimo die Maii Anno regni regis Edwardi quarti octavo, coram Thoma Noreys, Escaetore dicti domini regis in comitatu predicto virtute officii sui per sacramentum Thome Eyre, Johannis Knyght, Willelmi Floure, Johannis Lavyngton, Johannis Weston, Johannis Noton, Johannis Philippe, Johannis Colles, Johannis Raynold, Johannis Dere, Johannis Bys Thome Pynkeney, juratorum, qui dicunt super sacramentum suum quod Johannes Fortescue miles qui auctoritate cujusdam Actus in Parlamento dicti domini apud Westmonasterium quarto die Novembris Anno regni sui primo tento, editi, inter alios de alta prodicione erga eundem dominum Regem nunc perpetrata, attinctus seifitus in dominico suo ut de feodo quarto die Martii Anno regni ejusdem regis primo et postea de uno mesuagio et centum et quadraginta acris terre cum pertinentiis in Kyngston Deverell in Comitatu predicto que valet per annum ultra reprisas xls. Ac de quinque mesuagiis in Trowbrigge in Comitatu predicto ac de dimidia virgata terre in Hilperton in Comitatu predicto que valent per annum ultra reprisas xx s' ac de redditu novem solidorum annuatim percipiendos de uno tenemento in Bradford in Comitatu predicto cum revercione dicti tenementi post mortem Roberti Brugge et Alicie uxoris ejus qui quidem Robertus et Alicia habent statum de predicto tenemento ad terminum vite eorum ex dimissione dicti Johannis Fortescu et Isabelle uxoris ejus ante predictum quartum diem Marcii ac ulterius dicunt quod Idem Johannes Fortescu fuit seifitus in dominico suo ut de feodo eodem quarto die Marcii et postea de tribus mesuagiis et quatuor acris terre cum pertinentiis in Chippenham in eodem Comitatu que valent per annum ultra reprisas xij^s. ac de dimidia virgata terre cum pertinentiis et septem solidatas redditus cum pertinentiis in Sutton in eodem Comitatu que valent per annum ultra reprisas x^s. Et ulterius dicunt quod Johannes Brian omnia et singula exitus et proficua mesuagiarum, terrarum et tenementorum predictorum a predicto quarto die Marcii dicto Anno primo usque capcionem hujus Inquificionis provenientes, habuit et percepit quo titulo ignorant. In cujus rei testimonium huic Inquificioni tam predictus Escaetor quam Juratores predicti sigilla sua alternatim apposuerunt. Die loco et anno supradictis.

Attached to this is an Inquisition taken at Cirencester, 4 Nov., 7 Edw. IV.

CHAP. VIII.

The Declaracion upon Certayn Wrytinges.

HIS refutation by Sir John Fortescue of his own arguments, to which he was compelled by Edward IV. as a condition of the reversal of his attainder, was printed for the first time in the year 1869, by the present Editor.

It was written after his pardon and restoration to the Privy Council in October, 1471, and before the reversal of his attainder, which bears date in the same month of 1473. He here styles himself "The King's Liege Man and of his Councill," and in his petition refers to this piece as "the large and clear writing" by which he had disproved all the arguments against the King's title.

Those arguments will be found either in "the Latin book," which now forms, or is included in the second part of his long treatise, "*De Naturâ Legis Naturæ*," or in the fragments of the lost Tracts.

The manuscript copies of the Declaracion with which I am acquainted are as follows, the first three being in the British Museum—

1. Harleian MSS., 1757, folio, on paper of the close of the sixteenth century.
2. Harleian MSS., 537, small 4to., on paper of the seventeenth century. This MS. breaks off abruptly before the middle.
3. Royal MSS., 17. D. xv., thick 4to., on paper of the seventeenth century.
4. Lambeth MSS., 262, f. 129, in the Lambeth Library.
5. Holkham MS., in the possession of the Earl of Leicester.

Their variations are but slight. I have in general followed the Royal MS., as copied by Mr. Richard Sims, and collated with the two other Museum MSS., but have supplied many illegible words and omissions from a transcript of the Lambeth MS., made for this work by the Rev. J. O. Payne. For a collation of the Royal MS. with that at Holkham, I am indebted to the Rev. Canon Collyer, and to the permission of Lord Leicester.

THE DECLARACION MADE BY JOHN FORTESCU, KNYGHT,
UPON CERTAYN WRYTINGES SENT OUTE OF SCOTTELAND,
AYENST THE KINGES TITLE TO THE ROIALME
OF ENGLOND.

ALERNID man in the lawe of this lande come late to the fame Sir John Fortescu, fayinge in this wise, Sir, while ye were in Scotelande with Henry somtyme king of this lande in dede, though he wer not so in righte, there ware made there many wrytinges, and sent hedyre, by which was fowen amongs the peple matier of grete noyse and infamy to the tytle whiche the Kinge oure soueraigne lorde Edward the fourth hath, and thoo hadde to reigne vpon us. And truly fyr the conceyvinge and endytynge of thoo wrytings haue be ascribed to you in the opynioun of the people, confiderynge that ye were the chief Counciller of the said late Kyng. For whiche cause hit is thought to many right wyse men, and also to me and othere of youre frendis, that it is nowe youre dutee, and also ye beth bounde in conscience to declare youre selfe herein, and also the qualities and effectes of all such wrytinges as ye were thoo pryve unto, in such wyse as thay turne not hereafter to the Kinges harme. And that ye doo this by wrytings such as may come to the knowlache of the people also clerely as dyde the sayd wrytinges sent of Scotelande; of whiche many yete remaynen in the handes of full evyll dysposed people that pryvely rowne¹ and reden thaym to the Kynges dyshonour, and disclaimdre of his said title. Whervnto Fortescu sayd in the forme that foloith.

The introduction of the matier.

My verray good and tru frende, I thanke you hertely of your sadde and faithfull councell, which I shall folow also ferre as shalbe possyble to me; for I knowe vndoubtedly that it ys reason I do as ye move me. But yit it is so that there wore many such wrytinges made in Scotelande, of which sum were made by other men than by me, wherunto I was never pryve. But yet the bryngers of tham into this lande faide they were of my making, hopynge tharby that thay shulde have been the more favoured. There were also other wrytings made ther by the said late Kyngs Councill, and sent hedyr, to whiche I was not well willynge, but yet thay passed by the more partie of that Councell. And over this f. 312.

Fortescu agreith him to make such declaracioun as is desyred.

¹ To rowne, is to whisper. To rede, is to spread abroad.

there were made wrytinges there, some by myne assente, and som by my selfe. In all such wrytinges it shall nede that my declaracions were dyuers according to my merites in makinge of them. Neverthelesse I wolde fayne in all thoo wrytinges declare the effectes of thayme after my reason and larnynge, yf I myght have the copenes and doubles of thayme, which I have not, nor have seen any minute of them, fythen I come into Englande. And therefore I pray you hertely to gete me some of the sayd wrytings or copies of theym yf ye can do so; and els that ye woll declare to me fuche of the matiers as ye can now remembre. Wherunto the said lernyd man then said in this wyfe.

The Lerned Man.

This article
concernyth
Edmond
Crochebake.

Henry iii. ac-
cessit, 1216.
Edward 1st,
2nd, 3rd,
Richard ii.
Henry 4th,
5th, 6th, Ed-
ward iv.,
1461.
f. 312 b.

Syr, I haue none of the said wrytinges nor yet any sayd copy of theym; but yit I remembre me well of dyuers maters wryten in some of thayme; of whiche oone mater is this. Kynge Henry the thirde hadd two sonnes, of which the elder, as the wryting faith, was called Edmunde, and ye yonger Edwarde. And because that Edmunde hadde a grete difformyte in his bake, he was called Edmunde Crochebak. And by that cause the Kynge would not that he shulde be Kynge of Englande after hym; and wolde tharfore that his yonger sonne should succede hym in his Realme; and by that cause made the said Edmunde Erle of Lancastre, Leycestre, and Derby, and caused his sonne called Thomas of Lancastre, to be Erle of Lyncoln by maryage, and gaffe to him the Erledome of Hountyndon, and many other gret lordshippes; and made the Countee of Lancastre to be a countee Palatyn, to thentent that his said elder sonne should be the lesse in the daunger of his yonger broder when he were Kynge. Off whiche Edmunde was afterwarde descended Blaunche, doughter to Kynge Henry, the fyrste Duk of Lancastre, sonne of Henry, second sonne to the said Edmunde. For the forsaide Thomas dyed with oute issue. Whiche Blaunche was afterwarde wedded to John the thirde sonne to Kynge Edwarde the thirde; which John and Blaunche hadde issue Henry afterwarde Kynge of Englande, called Kynge Henry the fourth; which hadd issue Kyng Henry the fyfte; and he had issue Kynge Henry the sixt, which by this meane was nexte heire to Kynge Henry the thynde. Syr was this your wrytinge.

Fortescu.

The answer
to the forsayd
article.

For sothe fyr, nay, nor I was neuer ascentynge to the wryting thereof.¹ And yit I was gretely defyred by my felowys in Scotelande, to haue made this wrytinge or othyer lyke therto,

¹ The following passage, included in James's "Excerpta ex Fortescue," is part of the writing which he here denies to have been his. The evidently Scotch spelling can hardly have come from an English pen:—

"King Henry the thynde had isswe Edmonde that was called *curvus*, and Edward; which Edmonde for his deformitie was put fra his ryght, and the said Edward made King, and callit Edward the fyrste 'with the long schankis.' And for peise the seide Edmunde gaif over to hym the Erledome of Lancastir, which is called the thynde foot of the Croune."

but I wolde not do it, be cause I knew veryly that it was vntrue; as it apperith vndoutedly by a Cronycle, called "the Cronicle of Saynt Albanes," in the which the wryter, as me thought, kept an ordre and a rule infallible. For he wrote every moneth, what the Kinge didd in every grete mater in the moneth; and what Ambassadours or other new thinge come vnto him; so as by lyklynesse, he might not erre in his Cronicling. By which Cronicle hit apperith in what day and monith Edward sonne to Kynge Henry the thyrde, was borne; and howe in the next yere after that, at a day and place specyfyed in the same Chronicle, the Quene was delyvered of a doughter; and in an other yere after that of an other doughter; f. 313. and tellith there names; and how after the byrth of tho twoo doughters, she was delyvered of the said Edmund. By which Cronicle hit is clerly shewyd that the said Edward was four or five yere elder than his forfayd broder Edmund. And in the Cronicle called "Flores Cronicarum," which is holde of a greater auctorite than eny other Cronicle wryten in this lande, the same Edward is ofte tymes callyd *Edwardus Primogenitus Regis Angliæ*. Wherthorough, and by many reasens whiche I now leve for the schortenesse, I was indubitably lerned that the said Edward was the elder brother. Wherfore I wolde not assent to that wrytinge made in Scotelande, nor se hit; but I sayd to thaym that moved it that it was untrue.

Edward
older than
Edmund.

The Lerned Man.

Truly fyr, than said this lernid manne, I am righte glade that I haue harde you say thus, for by this declaracion the Kings title shalbe more clere in the oppynion and knowledge of the people in that matier, than it shulde haue bene yf the said vntrue wrytinge hadd neuer ben made; and therfor I now desyre to haue communycacion with you upon such other maters as I remembre were also wryten oute of Scotelande; Trustynge that after your declaracion made in theym thay shalle also turne vnto the Kinges good; how be it thay were not made to that entent.

The lerned
man agreith
him well to
the said de-
claracion.

Item. The Lerned Man.

Syr, ye wrote in Scotland, that the present kynge our soverayne lord claymeth this Roialme by descent from two women; which Roialme is not inherytable by any woman as ye said. And in proffe of your entent ye wrote howe Edmund Irenfyde elder brother to faynt Edward the Confessour, hadd issue a sonne; whiche hadde issue a doughtere weddyde to Malcolyne Kynge of Scottes, now canonized, and called Saynt Margarete; of which kynge and Margarete haue bene sithen dyscendide all the kynges of Scottes; whiche not withstondynge, after the dethe of the said Edmund, Sainte Edward reyned in this londe pefeably all the lyffe of the said Saint Margarete with oute eny clayme made vppon him, by hyr, or by her husbände, and with outen that eny of ther heirs have claymed this londe at any tyme sithen; whiche clayme thay wold haue made yf it hade bene inheritable by eny woman, or by the issue of a woman. And also Saint Edward that was so rightwos, and tharfor is now a faynt canonized, wolde not haue kepe this londe from the doughter of the

This article
concernith
Edmonde
Irenfyde.
f. 313 b.

The Declaracion

fonne of his elder brother yf she ought to haue hadde it by inherytaunce. Syr, this wrytinge importith two things, oone is euidence that the corone of this londe is not inheritable by a woman; the secunde is that if it be inheritable by a woman, than the Kynge of Scottes oughte to haue it. How fore the two maters bene a yene the Kynge and his title, your reason feelith well ynough; and therfor they nedynе right playne and open declaracion, where in I wold fayne here you.

Fortescu.

Here is disproved the fyrst poynt that the forsayd article importhe.
fo. 314.

My frend, the fyrste poynt whiche ye saye that the forsayd wrytyng importith, and shulde be euidence, that the corone of this londe is not inheritable by a woman, may not make eny fuche euidence; for hit apperith in the Cronicles of this londe, and specially in Policronicon, the sixth boke, in the twenty-eight chapter, that Edgare Adelynge brother to Saint Margarete, was alyve and in Englonde at the time of the deth of Saynt Edwarde, and longe after; wherfor¹ Saint Margarete in the lyfe of the said Sainte Edwarde, might haue hadd no title to the corone, though it had been discendable to heires females; wherfor here noun clayme, or the possession of Saint Edwarde proven noo thing, or makyn eny euidence for the right of succeffion of women in this Realme, or in any other.

Fortescu.

And here is disproved the secund poynt of the same article.

f. 314 b.

And as to the secunde poynte which ye saye that the forsaid wryting importeth, that is to say if this londe be inheritable be woman, than the Kynge of Scottes shuld haue right therto; that mater may be clerely dysprouede be many reasons, of which oone is this. The sayd Edmunde Irenesyde was a basterd gotten by Kynge Ethelrede, otherwyse called Adelrede, vppon his concupyne called Algeua doughter to oone Egelbrede, longe tyme be fore that the said Ethelrede was wedded to Emma doughter of Richard Duke of Normandy, by whom he hadd issue Saynte Edwarde the Confessour; as it clerely apperith al so well by the Cronicles wryten by Petrus Pictauenfis,² and by frere Nicholl Tryvet, whiche I haue seen and rade fy then I come into the londe, as by other Cronicles of which I am late enformed and hope to se thayme ayene within a fewе days. Wherfore the children discendid of the said Edmunde Irenesyde may not by any lawe inherete the Roialme of Englonde or eny other lande as heires to the said Ethelrede, or to any of his Auncestries. And though he hadd bene mulier,³ as he was not, yet the Kynge of Scottes may not clayme this roialme by reason of him, as it shalle clerely appere by the reasons that folowen.

¹ The two Harleian MSS., as well as the Lambeth and the Holkham MSS., read here, between the word "wherfor" and the words "might haue hadd," "*Saint Edwarde in the life of the said Edgare.*" Such a reading, however, is hardly applicable to the rest of the sentence.

² An English Chancellor; he died about A. D. 1200. For his works see Watt's *Bibliotheca Britannica*.

³ i. e. legitimate.

Fortescu.

Fyrste it was so, that after many batels hadde between kinge Knoght and Edmunde Irenfyde, thay accorded to determyn ther werre by a singuler baytale called duellum, of thaym selfe. In which batelle when thay wer booth werry, accomde toke betwene tham that this lond shuld be departed between them bothe fer terme of thayre lyues, and he that overlyved shulde than haue the hole to him, and to his heires euermore. By force of whiche accomde thay bothe kepte and occupied this londe in common alle the lyfe of the sayd Edmunde Irenfyde. After whoos dethe kynge Knoght kepte and occupied the same lande sole as kinge tharof by force of the sayd accomde, and hadd issue Harold Harefote, and Harolde Hardknoght, and died peasibly seased tharof. Aftere whos dethe his said two sonnes hadd and enjoyed this lande peasibly, oone after that other, alle the days of thaire lyues, and died with oute issue. Wherfor this lande was than with outen eny kynge. By which occasion thay drove hens alle the Danes, and chose Saint Edwarde, then beyng in Normandy with his moders kynne, to be thaire kynge, and than sent for him, and made him kynge of Englande; in which astate he contynued peasibly all the deys of his lyfe. What ryght than might haue remayned in th'issue of Edmonde Irenfyde, though he had been mulier, fethen he hadd graunted his Roialme to the Daynes in fee for euermore; be force wherof thay kepte and enjoyed it peasibly three generacions, and than loste it for defaute of heires? How than might eny of th'issue of Edmunde Irenfyde males, or females, clayme this londe which the same Edmunde had youen to the Daynes, which by force tharofe, and also by conquest, kepte it peasibly into thare fourthe generacion? Suffysith not than this mater to exclude and barre the Scottes, yf thay wold clayme this londe by the heires of Edmonde Irenfyde? By whom the Daynes have greater colour to clayme it, than they, and yet they haue no maner of ryght tharto, as it shall well appere by a matier that hereafter shall folow. Butt yet I shall shew fyrste another mater by which the heires of the said Edmond beth excludid and barrable to clayme this lond as coufyns to Saint Edwarde though he hadd be mulier, which is this.

How Edmond Irenfyde gave this land to the Danes.

f. 315.

Fortescu.

The lawe of Englund is such, that if a man havinge a brother of halfe blode, be seased of any londe in fee simple, and dye with out issue, that lond shall neuer discende to his said brother, nor to his issue, but it shall rather eschete to the lorde of whom it is holde, that is straunge to that blode, and to his heires for evermor. Than fethen Edmond Irenfyde, though he hadd been mulier, and Saint Edwarde, were brotherne but of halfe blode, that is to say, Edmunde was issue to the forsayd Alyfone, and Saynt Edwarde was issue to Emma doughter to the Duke of Normandy, the said Edmonde, nor eny of his issue might neuer succede, nor bee heire to Saynte Edward. Which mater he well confideryng, and that he

The seconde Argument made ayens the heires of Edmonde Irenfyde.

f. 315 b.

hadd none other kynne which ought to enherete his roialme after him, willyd that William Duke of Normandy his next cofynne in his moders fide, might succede him in his Roialme of Englonde. Wherunto Harold sonne of Erle Godwyn, and the gretteste lord of Englonde, and also the more parte of all the lordis spirituelt and temporal of this londe, were welle aggreyd, and promytted that it shalbe so. And the same Harolde made lyke promys in Normandy to the Duke him felfe, but yet after the dethe of Saint Edward he abated, and occupied this Roialme hym felfe as kynge therof. For which cause the said Duc of Normandy come ouer with a greete hooft and conquered this londe. But not all the heires of Edmonde Irenfyde, though he hadd be muliery,¹ but yet half a brother of Saynt Edward, barred for evermore by the lawe of Englonde to clayme this Roialme, or any londe as heire to Saynt Edward to whom their auncestre was brother but of half bloode?

Fortescu.

The thyrd
Argument
made ayenst
the forsayd
heyres.

f. 316.

Item it is wryten in the boke of Judicum the eleventh Chapitre, that Jepte sumtyme Jugge, and gouvernour of the children of Israell, justyfyed their possession in certayn landis whiche thay hadd gotten by conqueste of the children of Amon, by cause thay hadd kepte and occupied the same landes peasably after thaire conquest by the space of three hundred yere; how moche more lawfully than may the Kynge our fouerane lorde, whos progenitours and him felfe *bonâ fide* haue been peasably possessed of this londe more than four hundred yeres, justyfie his possession tharin ayen the forsayd Daynes and Scottes yf thay wold clayme hit by any title grawn to thaym by Edmunde Irenfyde, or eny other man before the Conqueste? And in lykewyse a yen the Saxones, Romayns, and Brytons, which in olde days haue been lordes here, the possession truly of four hundred yeres, excedith grettely the title of prescripcion used in eny Roialme of the world. And yet is prescripcion oone of the strengest titles auctoryzed by any lawe. Is not now the forsayd wrytinge made in Scottelande concernynge Edmonde Irenfyde though he hadd be mulyer, clerely provede of noone effecte? And that it maketh noon euydence a yen the Kyng our fouerane lorde, but that the kynges title by occasion of yt, and by reason of this declaracion, is more clere, and shalbe more openly knowen than it shuld haue been if that wrytinge hadd neuer be made? Wherthorow it turneth all to the kings good, though the vtterer tharof ment not that it shuld haue doone foe.

The Lerved Man.

The confyde-
racion which
ledde Kinge
Henry to
make a-
corde with
Fraunce.

Sir, than said this lerved man, ye wrote also while ye were in Scottelande that Kinge Henry the Fifth beinge lerved by wyse and connyng men, that he might not have the Roialme

¹ Muliery, i. e. legitimate.

of Fraunce by the title of a woman, that is to fainge by the title of quene Isabell that was doughter to the kynge of Fraunce, and syfter to three kinges that reyned ther after the deth of hir Fader, lefte for that cause that title and clayme; and also the stile and name of Kynge of Fraunce, which he hadd used many yeres byfore, and accorded with Charles the kynge of Fraunce to wedde his doughter Kateryn, and dide soo. And vpon the treaty of that maryage accorde toke betwene the kynges by thassent and counsell of the more partie of the Doseperes,¹ and three estates of that londe, that the said Kynge Charles shuld haue and enjoy peasably the Roialme of Fraunce, with the dignitie, stile, and name of Kinge of Fraunce, all the dais of his lyffe; and after his deceffe the Roialme of Fraunce shuld remayne and goo to the sayd Kynge Henry and to his heires kynges of Englonde for euer more. And that the same Kynge Henry (and his heires) shuld be Regent of Fraunce, and called *heres et Regens regni Franciæ* all the lyfe of the sayd Kynge Charles. Whiche accorde, and all thynges conteyned in hit was affermed and made sure as well by the three estates of Fraunce with th'assent of the mooste partie of the Douspers, as by a parlament holden in Englonde the ninth yere of the said King Henry. By force and cause of whiche accorde the same Kynge Henry lefte the name and stile of Kynge of Fraunce in all his wrytings, and was called *Rex Angliæ, heres et Regens regni Franciæ*, in his patentes and wrytings, all the dais of his lyff; and so was his sonne called after him all the lyfe of the said Kynge Charles. After whos deth the same sonne was in Parys crowned Kynge of Fraunce, beyng there present the more partie of the lordes of Fraunce that were not at werre with the said Kynge Charles the day of his dethe; which lordes all assented to that coronacion. By which wrytyng ye entended to prove two thinges; oon is this, that Kynge Henry the fyfte vnderstode that the Roialme of Fraunce was not inheritable by the title of a woman. The secunde is that Henry sonne to the said Kynge Henry hadd right to the Roialme of Fraunce by reasoune of that accorde, and not our souerayne lorde Kynge Edward the fourth.

The Lerved Man.

Syr, me thinketh that your said wrytinge may not prove any of thes said two poyntes. For as to the fyrste poynte, the levinge of Kynge Henry the fyfte his title of the Roialme of Fraunce may not prove it, nor be evidence to the profe of hit; for he was not next heire to the forsaide quene Ysabell, by whom we thoo hadd our title to Fraunce, for Edmund, at that tyme Erle of Marche, was next heire to the said quene Isabell; that is to saynge he was sonne to Roger, sonne to Phillipp, doughter to Lyonell, sonne to Kynge Edward the thirde, sonne to the forsaide quene Isabell. For which cause the said Roger, fader to Edmond, was proclaymed heire apparaunt to Kynge Richard in his parlament holden at Westmynster the

The diff.
troccione of
the fyrste
poynte of
that con-
sideracion.

f. 317.

¹ The word is either a contraction of Ducs et Pairs, or is put for douze Pairs.

twelfth yere of his reyng. To which Roger, and all so to Edmonde, the Kynge our souerayne lorde is next heire; for he is sonne to Richard, sonne to Anne, daughter to the said Roger, and also sutter to the said Edmond late Erle of Marche which is dede with oute issue of his body. And the forsayd Kynge Henry the fyfte was sonne to Henry, sonne of Johne, yonger brother of the forsayd Lyonell. In which case he myght not be heire to quene Isabell, and by the consequens tharof he might not have hadd the Roialme of Fraunce, alle the while ther wer any issue of the said Lyonell on lyve. By the whiche confideracioun he lefte the name and style of kyng of Fraunce, and made the said treatie, and not by the confideracioun whiche ye imagyned on your said wryting; for els he hadd no colour of title to that Roialme. And therfor, Syr, me thinketh that now the forsaid fyrste poynt is clerlye dysprovede.

The Lerved Man.

The diff-
troccion of
the seconde
poynte of the
same con-
sideracion.

f. 317 b.

And as to the seconde poynt of the same confideracioun, ye knowe welle how that the accomde and title that grew tharby was gotten by the costes, charges, and adventures of this londe fore the good and profytte tharof; which, I wotte welle, hath coste this londe cc. m^l. li' and more. And fythen Kynge Henry the fyfte is now dede with oute issue, the title and right that grewe by that accomde is now holyche, and oonely yn the Kynge our souerayne lorde, whiche is indubitable his next heire masse. So that now he hath title and right to the Roialme of Fraunce, as well the title that grewe of that accomde, as by his olde tytyle whiche he and his progenitours, heires to the forsayd quene Isabell, have long hadd, and which his forsaid noble auncestre, Edmond Erle of Marche hadd before the said accomde, and at the tyme of the makynge tharof, and his heires alway fythen have hadde, as well in the lyves of the sayd Kynge Charles, Kynge Henry the fyfte, and of his sonne, as fythen, not excludede by the forsaid accomde to have and clayme it as next heires to quene Isabell. So that in the lyfe of said Henry sonne to Kynge Henry the fyfte, the Kynge our Souerayne lorde hadd as verely right to the Roialme of Fraunce, and shulde have hadd ayen the same sonne yf he hadd been in possession of that Roialme, as he nowe hath ayene kynge Lowys which occupyeth the same Roialme, and as his noble progenytours have hadd ayene the auncestres of the same Lowys, the forsaid accomde notwithstandinge. Neuertheles his highnes hath now both titles, that is to saynge his auncient title, auncestrell, as next heire to quene Ysabell, and this new title that was gotene by the forsaid accomde. Is not nowe the forsaid secunde poynte as clerlye dysproved as the fyrste, so that by the forsayd latter mater wryten oute of Scottelande thaire remayneth no more maner of evydence ayene the Kynge nor his title?

Fortescu.

Why Kynge
Henry his

Syr, ye haue so clerly declared theeffectes of the forsaid laste wrytinges that it now nedith

not more declaracion made by me;¹ and I am right gladd to here of youe, and to vndyr-
 stonde by your saynge how grete nede the counsell of the laste Kynge Henry hadd to wryte
 ayene the title of the enherytaunce of women in kyngdoms; for els by that title the Kynge
 our souerayne lorde myght haue distroyd inevitably the title whiche the sayd late Kynge hadd
 in the Roialme of Fraunce by force of the forsayd accorde, as ye haue clerely shewed. Also
 by that title the Kynge oure souerayne lorde was vndoutably inherytable to the Roialme of
 Englund byfore the same Kynge Henry, confyderynge that he is descended of Lyonell the elder
 brother, and the same Henry was descended of Johne the yonger brother, as is be fore openly
 declared. O howe good lorde is Godde to the Kynge oure Souerayne lorde that now hathe
 yeven him thies bothe titles wherethorow his subgettes may fight for hym in his title for his
 roialme of Fraunce with oute any doute or scruple of counscience; for by fyde his auncien
 title, that Roialme is now al so clerely fure to him and to his heires by the said accorde, as
 all the counsell of bothe Roialmes coude or yet canne make it.

counsell
 wrote ayene
 the succel-
 sion of
 women in
 kyngedomes.
 f. 318.

The Lernald Man.

Than sayd the lernald man, Truly Syr, me thynketh youe well desposed in all theis maters
 hiderto, for in all wrytinge made by yourself ye haue confessed the trouthe and declared the
 cause why ye wrote so, wherin I cane assigne no defaulte in you. And in thoo thinges that
 wer wryten by other men ayenste youre wylle, ye haue declared the qualites and merytes of
 thaym bothe truly and planely, to the Kynge's good and honour, as me thynketh; for whiche
 ye be worthy right grete thanke. But yet Syr, ye wrote oute of Scottelande oone matier
 which nedith Right gret and clere delaracion, for it sownyth gretly ayen the Kinge's old
 title to his Roialme of Fraunce; and so it dydde when it was wryten ayenst his title of this
 londe. Whiche matier is this; Ye wrote that no woman may suppreme reigne vpon man,
 for Gode faide to the fyrste woman thise wordes, *Eris sub potestate viri, et ipse dominabitur*
tui. Which wordes said to hire, was said to all the kynd of woman; as the wordes then
 said by Gode to the fyrst man wer said to all mankynde. And ouer this ye wrote a boke in
 Laten, be whiche ye entendid to proue the same by many auctorytes, scriptures, and reasons;
 wherin yf ye so declare yourselfe, and the matiers of that boke, as the Kynge be not harmed
 by theyme, ye than acquyte you well, and do tharin to his highnesse right acceptable and
 lovyng seruice.

Here is de-
 fyred a de-
 claracion
 ayen the
 boke of
 Laten, and
 other wryt-
 ings made
 in Scote-
 lande.
 f. 318 b.

Fortescu.

I wolde fayne do as ye move me, God knowyth, and right sory that ever I wrote so, or
 labored vpon the makynge of that Laten boke. But yet the werke to whiche ye now desyre
 me were more conuenient to another mans pen than to myne; for I haue wryten so much

Fortescue
 dredith that
 the declara-
 tion which

¹ Here the Harleian MS. breaks off.

is desyred of
him wold be
to his in-
fame.

f. 319.

tharin to an other entent, as ye know welle, that yf now I do as ye move me, my worke tharin wyll fown so lyke dowbleness, that in the oppynyone of the people, and namely of simple men, I may tharby fall into infame of dowbleness; and yf it be doon by another man he may haue no hurte be it, but he shall haue right grete worshipp yf he do it conyngly. Wherfor I wold be right gladd, and helpe him tharin in alle that I coude, and honestly might do. Also Syr, sithen thies maters to whiche ye stere me, concernen the right of succeffion in kyngedoms, whiche is the gretteft matier temporall in all the worlde, they oughten to be treted and declared by the mooste profounde and gretteft lerned men that can be gotten tharto, and not by men of my simpleness that haue not moche labored or studyed in any faculte except the lawes of this londe, in which the studientes lerne full lytell of the right of succeffion of Kyngdomes. And also yf any thinge be wryten herein which may reasonably be disproued, that writinge wher it is disproued, shalle fortifye and helpe the oppynyon of all theym that haue wryten to the contrary entent. Wherfore I drede me fore to wryte herein, knowynge myne insuffycientie tharto, and that if it be not sufficiente, men wolle say that I made it fuche for to strenght tharby my rather¹ wrytynges *Et sic erit nouissimus error peior priore*. Wherfor me thinketh the Kyng's highnesse wolde be moved to commytte this werke to such as beth more able and more prone tharto than I.

The Lerned Man.

The wryt-
inge that
now is de-
syred may
neuer be vn-
worshippfull.
f. 319 b.

Youre wysdome, Syr, conceyveth well how fergeauntes and aduocates that been right worshippfull men arguen dayly to prove the titles of thayr clyantes, and after that in a lyke case for another clyant thay arguen to the contrary entent, and beth not for that, nor ought to be blaymed. So also doone The Jugges in maters of gret diffyculte wherin thay beth also indifferent, as thay be, for such disputacion ys to thayme beste meane to find the right in euery doubtful case. Gracian also that compyled the booke of the Lawe Cannon, called Decrees, in all his questyons which he maketh in the cafes whiche he puttith there, called causes, disputith for eithir partie of euery questione. Thus doth Saynt Thomas in Secunda Secunde,² and in all his bokes where as he asketh eny questions, and thus doone all the clarks that determyn eny matiers in scoles; for this ordre is no doubleness, but argument and proof of conynge and vertue. And sithen your wrytynges whiche ye haue made in the matiers in the whiche I now move you, were but arguments, and ye no Jugg, but a parcyall man, seruant to him for whos fauour ye made the arguments, and his cause is now expired, and he deed, ye may nowe honestly and commendably with oute eny note of blame argue to the contrary entent of that ye haue doo by fore this tyme yf ye finde reasons and groundes to do so. And also ye ben nowe bounde in conscience and by right to do so, confyderyng that ye be

¹ "Rather" here means earlier, as the comparative of rather, early.

² St. Thomas Aquinas, one of whose works is so named.

the Kyngs liege man, and of his counsell, and founde in his noble grace also grete clemence and fauoures as euer dyd man sithen he fyrst reyned vpon vs; and perauentur yor olde argumentes and wrytynges mowe els turne and be occasion to his harme, or to the infamie of the title be which he reigneth upon us; which I am right fure ye wold not were so. And Syr, yf ye wryte as I move you to do, and than it fortune your wrytynge to be not of suche effecte as ye entende, which thinge me thyngketh ye drede gretly, The Kynge shall not be harmede tharby; for his highnesse may than make other notable and connyng men to make better wrytinge tharin; wherein thay shall fynde lesse diffyculte whan they haue seen your wrytinges.

Fortescu.

f. 320.

Syr, youre reasons and motyves beth so gret that yf I do not as ye move me I dred that men shall holde me selfewylly, and tharfor I wolde assaye and do as ye desyre me. The matier which ye say I wrote and is so gretly ayenst the Kynge is this. I wrote how that me femyd no woman ought foueranly or suppremyly to reynge vpon man. Which matiers I pretended to prove by the Juggementes which God gave vpon the firste woman whenne sche hadd synned, saynge to here thise words, *Eris sub potestate viri, et ipse dominabitur tui*, whiche been wrytten in the boke of Genesis the thirde chapitre, and beth such in Englyshe "Thou shalt be vnder the power of man and he shall be thy lorde." Which wordes spoken to that woman was, as I thoo wrote, spoken to all the kynde of women, as the wordes tho spoken by God to the firste man were said to all mankynde. This matier ye now desyre that I woll so declare, and also the matiers of a booke which I wrote in Laten to enforce myne intent herein, as the kynge our fouerayne lorde be not harmed be theym in his titlis of Englonde or of Fraunce. Syr, as to the fyrste poynte in whiche ye desyre my declaracion, I hope to finde not difficulte. For our lorde sayde not in his forsayd Juggement that a woman shuld be vnder the power and lordshipp of all men, or of many men, but he sayd indiffynately or indeterminably that she shulde be vnder the power and lordshipp of man; which is true yf she be vnder the power or lordshippe of any man. For logycions sayne, *Quod propositio indiffinita est vera si in aliquo supposito illa sit vera*, and by that Reasoun she is vndyre the power and lordshippe of man yf in any kynde of subjecion she be vndyr the power and lordshippe of any man. Wherefore howe be it that thar beth many kyndes of lordshippes called by dyuerse names in Latin, as is, *Dominium Regale, Dominium Politicum, Dominium dispoticum*, and such other, yf a woman be vnder the power of man in oone of the kyndes of lordshippes, she is vnder the lordshipp of man. And that euery woman is vnder the power and lordshippe of sume one man, which is alle that she is arted vnto by the forsaide Juggement in Genesis, may not be denied; for euery woman is vnder the power and lordshippe of the pope, whiche is a man, and he vicare of Criste, God and man. And though his power and lordshippe were but spirituall, yet the beinge vndyr that power and lordshippe

A woman is vnder the power of man while she is vnder the Pope.

f. 320 b.

is a beinge vnder the power and lordshippe of man. Wherfore the forsaide texte of Genesis, or eny thinge by me deduced therof, may not prove that a woman may not reigne in a kyngdome of whiche the kinge hath no soueraigne in temporaltes, fithen sche abideth alway subget to the pope. And by the same reasoun it may not hurte the kynge in his titles to his forsaide twoo Roialmes.

Fortescu.

The argument made
ayensf wo-
man in the
Laten boke.

f. 321.

Item this matier is argued in the forsaide Latin boke in this forme. God commaunded, and by his juggement establyshed that euery woman shalbe vnder the power and lordshippe of man; than, by the same commaundment and juggement he commaunded that no woman shalbe free or exempt from the power and lordshippe of man; for, as I wrote there, *Precepto vno contrariorum eorum alterum prohiberi necesse est*. But a woman to reigne in a kyngdome of whiche the kingdome is subget to no man in temporaltes, is a woman to be fre and exempt from the power and lordshippe of man; hit shall thanne necessarily ensue that no woman may reigne in any suche kyngdome; for it were supremely and soueraynly to reign vppon man; wherthorough she wer thanne not vndyr the power and lordshippe of man. This is the strengyft argument that is made in the said boke by reasoun of the forsaide texte of Genesis. Wherfor yf this argument be clerely dystroyed, the fyrste matier whiche ye desyre me to declare is than clerely declared. Nowe truly I am right sory that euer I made eny suche argument; for it is an informyle tale, and no kynde of filogifme. Wherfor the minor is impossible, and tharfor not true; and the consequent, yf it might be callede a consequent, is not necessarie. Wherfore this maner of Argument proueth no thinge.

Fortescu.

Here is
proued that
no king is
with oute
souerayne in
temporaltes.

The forsaide minor is this. A woman to reign in a kingedome of whiche the kinge is subget to noo man in temporaltes, is a woman to be free, and exempt from the power and lordshippe of man. Fyrste it nedyth that it be vndyrstonde that alle that we speke of kinge and kingedome in this disputation muste be vndyrstonde of Crysten kynges, and thaire kyngdomes, though tharin we name thayme not so. Thanne thus ther is not, or may be, by possibilite, eny kingedome of whiche the kinge in temporaltes is subget to no man; for all kynges beth membres off holy Chyrche, of which our holy fader the Pope is Vicare to Cryste as hede, saynge the Appostell *Omnis viri caput Cristus est*, to whome alle the membres of the Chyrche, as to the hede tharof, beth and ought to be subgettes, and obedyentes. Wherfor thanne it wolfe followe necessarily that any kinge to be not subget to any man is impossible, fythen euery kinge as a membre of holy Chirch, is subiecte to the Pope. Thanne whethir this subgeccione be only of his persone, or also of and in his persone and his kingdome, which bothe be temporales onely, now remaneth to be proved. And to

prove that he and his kingdome, and also he in his kingdome and in all other of his temporalities, beth subget vnto the Pope, I procede in this maner. Or Cryfte was conceyved, God said of him by his Aungell to his moder theis wordes *Dabit illi Dominus Deus sedem Dauid patris ejus, et regnabit in domo Jacob in eternum, et regni ejus non erit finis*. Of which wordes this is the sentence. God promitted by his Aungell that Criste Jesus shulde haue the estate and dignite of Dauid which was kynge of Israell, and that he shuld reigne in that kingdome, which in the forsaide wordes the Aungell called the house of Jacob, for Jacob was called Israell, of whom all the people of that Roialme were descended. And tharfor by him, and of him, that roialme was called the kingdome of Israell, in whiche the Aungell said that Criste shuld reigne for euermore, and that ther shuld neuer be ende of his reigne. Israell by interpretation is a man that seeth God; thanne is not the kingdome of whiche the aungell thoo spake the kingdome of Jewes, for they seen nat God, and also thaire kingdome is ended; but it is the kingdome of all Crysten men, which onely amonge al mankynde seen God, and euyr shall laste, and nowe is called all holy Chyrche. In this kyngdome nowe reyneth Cryfte by his vicare, and euer shall reygne, for he promitteth to be with vs vnto the ende of the worlde, as somtyme reyned Dauid in the kingdome of Israell while he lyved. And sithen all the Princes and Subjectes of Kinge Dauid were his subiectis in thair persones, and in thair possessions, why than beth not now all the kinges and princes of the chyrche figured by the kingdome of Dauid, al so wele subjectes to the Pope in thaire persones, as in thair temporaltes? Kinge David toke not from his subgetts thaire goodes or possessiouns f. 322. with oute iuste cause; but yit he compelled the princes of euery Tribe to rule justely thair subjectes, and els he punished thayme for thaire defautes. So thogh the Pope toke not from the kings thair goodes and possessions with outen cause, yet he ought compelle theym to rule justely thaire subjectes, and els to punyssh theym for thaire neglygens and defaults. Thus Moyse hanged the princes that punysshed not thaire subjectes whanne they hadde offended. Thus haue Popes punysshed Emperours and Kinggis when they haue mystrulyd thaire subjectes, as we rede in Cronicles of olde dais; for thay ought to correcte thaire owne subjectes whanne thay offended. So ought the Pope to correcte theym whanne thay offende; and els thaire defautes shalle remayne vnpunysshed, which God wold not. And therfor Criste is Kinge of all Kinges, and lord of all the worlde; havyng in the handes of the Pope his vicare, both swerdes; for which he is called *Rex et Sacerdos*, and compellith all princes as well spirituall, as temporell to come to his gret councelles. By which matiers, and by many moo which wolde aske grete trait of tyme yf thay shulde be specified, it may vndoubtedly appere that ther is now noo kingdome in the Erthe, of Cristen men, of which the kinge is not subiecte, also welle in temporaltes, as spiritualtes. Wherthrough the forsayd minor is now clerely proved impossible, and therfor it may not be tru.

*The Declaracion**Fortescu.*

Here is the
Consequent
of the for-
fayd argu-
ment dis-
proved.

f. 322 b.

And fithen the minor of the forfayd argument is proved impossible and tharfor vntrue, the conclucion, called the consequent, is not necessarye, and therfor not good by logyke, or eny other faculte; wherthrough it maketh no maner profe or evydence ayenste the right of succeffion of women in kingdomes, as by the said argument was intended. And though the said minor hadde be possible and true, yet the consequent tharof wolde haue made no good argumente; for though a kynge be not subiecte to any man in temporaltes, yet it folowith not tharof that such a kinge is not subiecte to any man *simpliciter*; *quia arguendo a quo ad simpliciter, non valet argumentum.*

The Lerned Man.

The lerned
man holdyth
hym content.

Then said the forfayd lerned man in this wyse, Truly Syr, ye have nowe declared thies matieres so openly and clerely that ther remayneth no matier of evydence ayenste the Kinge or his Roialmes by reasoune of the jugement yoven by God a yenste woman, whanne he said *Eris sub potestate viri et ipse dominabitur tui*, which was the mooste fore matier ayenste the inherytaunce of woman in kingdomes.

The Lerned Man.

The lyuere
fued by the
heires of the
duke of
Clarence.

f. 323.

But Syr, I remembre me well that I haue redde a writinge made in your name in whiche ye doubted whethir that Phelyppe moder to Roger sometyme Erle of Marche, of whome the Kynge is descended, were the doughter of Syr Lyonell Duke of Clarence, and wheder the fame Duke had any issue that ovir levid him or no; for ye said that ye had not seen nor harde of any man that hadd seen any recorde provinge that the said Philipp, or eny of hire heires, or that other personne hadde euir any lyuere in the Chauncerie, or otherwyse, of any lorde-shippes or other lyvelode that were somtyme to the said duke of Clarence. Nathelesse I mervell not grettly of youre ignorance tharin; for I can well supposse that befor your departinge out of this londe ye delt not moche with that inheritaunce, and tharfor made nevyr serche for the lyuerez tharof. And while ye were by yonde the see, ye might not se eny fuche recorde. But Sir, now that ye beth come hider ye may with oute difficulte se recordes, proving such liuerez made also well to the said Phillip, as to diuerse of hire issue, as heires to the forfayd duke, and also as heires to the docheffe his wyfe dame Elizabeth moder to said Philippe, as here after ye shall neuer haue doute, or finde difficulte in that matier. Whervpone the fame lerned man schevyd vnto the said Fortescu, a cotype of an accompte made in the Eschequer in the daies of Kinge Edward the thirde in thes wordes: *In compoto Johannis Greffingham Escheatoris Regis in Comitatibus Norfolciæ et Suffolciæ computatur a vigesimo septimo die Novembris anno quadragesimo secundo, usque ad annum quadragesimum octavum, de aliquibus exitibus maneriorum de Walsyngham seu Creseham quæ*

Leonellus nuper Dux Clarenciæ defunctus tenuit per legem Angliæ post mortem Elizabethæ quondam uxoris suæ de rege in capite ut de hereditate Philippæ filiæ et heredis prædictorum Leonelli et Elizabethæ, sicut continetur transcripto cujusdam inquisitionis et extentæ coram dicto Escheatore inde capta super hunc compotum decimo-septimo die Octobris anno quadrigesimo tertio, quo die idem Dux obiit, et dictus Escheator maneria illa per mortem ipsius Ducis cepit in manum regis usque vigesimum quartum diem Augusti sequentis, quo die dicta Philippa quam Edmundus de mortuo mari Comes Marchiæ duxit in uxorem ætatem suam sufficienter probavit, et rex cepit fidelitatem ipsius comitis regi de omnibus terris et tenementis quæ prædictus nuper dux tenuit tam in dominico suo ut de feodo, quam per legem Angliæ post mortem prædictæ Elizabethæ quondam uxoris suæ, matris ipsius Philippæ de hereditate ejusdem Philippæ debitam, et eisdem comiti et Philippæ omnes terras et tenementa prædicta cum pertinentiis reddidit, ac Rex per breve suum datum eodem vigesimo quarto die Augusti precipit dicto Escheatori eisdem comiti et Philippæ de omnibus terris et tenementis prædictis plenam seisinam habere facere non R. et cet. By whiche recorde it clerely apperith that the forsayd Philippe was doughter and heire to the forsaide duke of Clarence, and to Elizabeth his wyfe; and that sche, and the Erle of March hire housbond had liure in the Kings Chauncerie of all the landis and tenements whiche the forsaide duke helde the day of his deth in his demeane as of fee; and also of all thoo landes and tenements which he held by the curtesy of Englonde after the deth of the forsaide Docheffe. And ouir this, the forsaide lerned man offered to have shewed to the forsayd Fortescu diuerse other recordes as well of f. 29. the Eschecker, as of the Chauncerie, proving all the premisses if he wold haue gotten with hym into the same Courtes.

Fortescu.

Wherunto Fortescu, I pray you, Sir, to shew to me no moo records of this matier, For this suffysith to put oute of my mynde alle the doute that I hadde in this matier. For sithen the said Philippe and her husbande hadde lyure as heire to the forsaide duke in oone Countee, it may not be doubted but that thay hadd lyke liure in euery Countee of Englonde wher as the said duc hadd any lyfelode. And thoughe thay hadde not, yet it apperith that thay ought to haue hadde.

The Lerned Man.

Then said the lerned man in this wyse, Syr, while ye were in Scotteland ye wrote howe f. 30 b. kinge Henry the first hadde issue a doughter wedded to the Emperoure of Almayne, by whome she hadd no issue; but after his decease she was wedded to the Erle of Angeou, and had issue by him a sonne afterwards called Henry fitz Empreffe; and that kinge died without eny other issue. After whose deth this londe wold not suffre his doughter to reygne

upon hem, by cause, as ye sayd, it was not inheritable by woman; and by the same reasonne thay wolde not suffre hire sonne to be thaire kinge by title of her; but thay chuse thanne Stephen Erle of Boloyne, suster sonne to the said kinge, to be thaire kinge; which by force of that eleccion was made and ennoynted Kinge of Englonde, and so reigned more thanne eighteen yere. And after that, whanne the sonnes whiche the said Kinge Stephen hadde were dede, accorde toke bitwene him and Henry fitz Empreffe that the same Henry shuld after his decease have the kingdome of England to him, and to his heires males, for euermore; of whiche estate he was thanne made sure by auctorite of parliament, by which title he and his issue hath reyned in this land alle waye fethenne. Syr, me femythe whanne ye wrote this ye knewe not well the Chronicles that beth wryten of Kinge Stephen, and of Henry fitz Empreffe. For certaynly Kinge Stephen come not to this londe by eleccion. Nor Henry fitz Empreffe was entitled tharin by auctoryte of parliament. Wherfor fithen ye be now in this londe, where ye may ferche and find the trouthe therof, which ye knew not then, me thinketh it were for you now to make fuche ferche, and thanne to declare by your wrytinge the clernesse and trouthe of this matier; for els the King's title, as well to this londe, as to his Roialme of Fraunce, might be dyffamed and hurte by coloure of your sayde wrytinge, which I knowe well ye wolde not wer so in any wyffe.

Fortescu.

f. 224 b.
The ferche
made touch-
ing the for-
sayd matier.

I thanke you my frende, for your counceyll. But yet truly I haue done alle redy as ye now aduyse me. And therfore I shalle schewe vnto you in articles, what I haue founde in sondrye Cronicles of the matier. Fyrste I find in a Cronicle written by a worshipfull clarke called Radulphus de Duceto sumtyme Deane of Pawles, how vndyr the yere of our lorde one thousand one hundred and thirty-five, he writeth these wordes,¹ *Rex Anglor' Henricus cum regnasset annis triginta quinque, quatuor etiam mensibus, decessit apud Sanctus Dionisium,*² *in Silua Leonum, et in Anglia sepultus est apud Radingum.*³ *Hugo Bygod Senescallum regis veniens in Angliam, coram Archiepiscopo Cantuariensi sacramento probauit quod dum Rex Henricus ageret in extremis, ortis quibusdam inimiciis inter ipsum et imperatricem, ipsam ex heredauit, et Stephanum Boloniæ Comitem heredem instituit. Willielmus Cantuariensis nimis credulus verbis Senescalli, Stephanum Moritonii⁴ Comitem consecrauit in Regem apud Westmonasterium.* By whiche wordes it apperith that Kinge Stephen was made Kinge of Englonde, and the Empreffe put from that astate oonely by the reporte of the Stewarde of the Kings Houfe, to whiche the Archebifshope gave to hasty credence. Wherthorough it apperith that the same Kinge Stephen was not chofen to be Kinge of Englonde, as is conteyned in the forsayd wrytinge made in Scoteland.

¹ Twyfsden, Decem Scriptores.

³ Reading.

² St. Denis le Forment in Normandy.

⁴ Moretoil in Normandy, of which Stephen was count.

Fortescu.

Item I finde in the same Cronicle howe that in the yere of our lorde one thousand one hundred and fifty-two, Henry fitz Empreffe entred into this londe wherof the said cronicles wrytyth under thees wordes *Henricus dux Normannorum intrauit Angliam in manu valida infra octavas Epiphanie, Castellum de Malmesbury obsedit, et milites intus obsessos ad dedicionem coegit. Eustachius filius Regis mortuus est.* By which it apperith that in the lyffe of Kinge Stephen, and by fore any accorde made with him, Henry fitz Empreffe claymed this londe in his owne right as inheritor tharoff; for at the tyme of his entre he hadd non othere tharto. Another Cronicle.

Fortescu.

Item in the yere of oure lorde one thousand one hundred and fifty-three the said Cronicer¹ writeth in this wyse *Euenit quod minime credebatur, diffencio regni non dirimitur in gladio. Partibus euocatis hinc et inde transfaccio celebrata est; diligencia interuenit Archiepiscopi Cantuariensis et auctoritas plurium operata est: Wintoniensis Episcopi profuit sollicitudo: coepiscoporum assensus non defuit; defuit procerum et concilium et consensus. Et ut nostri maiores videantur a legibus aliquid accepisse, nori aliquid a legibus sumpserunt. Ducem si quidem Normannorum Rex in filium arrogavit et in eum jus suum transtulit, et potestatem sibi coadjunxerit, regiæ dignitatis solam ymaginem referravit. Et si profeticum illud attenderis, jam se induit genitore, jam ducem arrogavit in filium: In participem regni et post modum successorum universi ducem recipient: In rege ducem et in duce regem singuli venerabuntur.* By this Cronicle it apperith that the accorde made betwene Kinge Stephen, and Henry fitz Empreffe was a priuat peas, and covenant made betwene hem by the meanys of spirituall men for the terme of the lyffe of Kinge Stephen, and toke no longer any effecte, for it was made by none auctorite of parlyment; as it expressely apperith, by the same Cronicle, vndir thees wordes. *Episcoporum assensus non defuit, defuit procerum et consilium et consensus.* What wordis may more clerly shewe that it was not made by auctorite of parliament than doon thies wordes that seyn there lacked to this accorde the counsell and assent of the nobles temporals of the londe? Item another Cronicle.

Fortescu.

f. 325 b.

Item in an other Cronicle wrytten under the yere of oure lorde one thousand one hundred and fifty-two is conteyned thus, *Stephanus Rex Anglorum et Henricus dux Normannorum cognatus ejus, octo Idus nouembris Justiciâ de celo prospiciente, concordati sunt hoc modo. Rex prius recognouit in conuentu Episcoporum et comitum et relinquorum optimatum*

¹ Twylden, Decem Scriptores.

The Declaracion

hereditarium jus quod dux Henricus habebat in Regno Angliæ, et dux benignè concessit ut rex tota vita sua si vellet regnum teneret. And in lyke fourme is wrytten the same yere, *quasi de verbo in verbum*, in the Cronicle Flores Hyftoriarum. By which it expreffely apperith that Kinge Stephen knowledged that Henry fitz Empreffe which was thoo entred into Englonde, hadd right to the faid londe as his inherytaunce; and that after that accorde, the faid King Stephen had no right tharin but by the graunte of Henry fitz Empreffe.

The Lerved Man.

The effecte
of the for-
sayd croni-
cles.

f. 326.

Whervpon the forsaide lerved man than sayd in this maner. Faithfully Syr, me thinketh that ye haue done good and effectuell diligence in the ferch of the Cronicles. Which be right playne, and prouen clerly that Kinge Stephen was neuer chossen by the londe to be kinge tharof; and also that Henry fitz Empreffe was Kinge tharof of his owne inherytaunce, as sonne and heire to the Empreffe doughter to Kinge Henry the fyrste; and that he cam not to this londe by title of eleccion, or by auctorite of parlyament, as was supposyd by the forsayd wrytinge made in Scoteland. Wherthorough than it openly apperith that he had right tharin by his moder, whiche right he enjoyed all his lyfe, and so haue done all his childer sithen. And by the same reasoune Roger sometyme Erle of Marche, sonne to Philippe doughter to the sayd Duke of Clarence, elder brother to prynce Edward, fader to Kinge Richarde ought to haue hadd this Roialme as next heire to Kinge Richarde. By which confideracione Kinge Richard made the same Erle of Marche to be proclaymed in parlyament his heyre apparent, beyng ther tho present the Duke of Lancaster, and his sonne the Erle of Derby, whiche after the dethe of King Richarde reygned as Kinge of Englonde callyd Kinge Henry the fourth. Which right to the Crowne is descended from the sayd Roger sometyme Erle of Marche, to the Kinge our foueraigne lorde, as to his Cosynne and heire, that is to saynge sonne to Rycharde, sonne to Anne, daughter of the same Rogere Erle of Marche; as is in an article before specially declared. And by lyke tytle, descent, and right, our sayd fouerainge lorde ought to haue the Roialme of Fraunce by Isabell moder to Kinge Edward the thirde doughter and heire to the Kinge of Fraunce.

The Lerved Man.

f. 32 b.

Nowe truly Syr, I am gladd that I haue comenyd with you uppon all thes matiers. For how so be it that when ye wrote them ye intended that they shuld haue been fore agayne the Kings title by which he tho claymed, and now hath this londe, and so thay sowndyd, and wer so taken of many men, God knowyth; yet nowe, blyssed be God, thay be turned to a contrarie entent and effecte, for thay have causyd alle your forsayd declaracions. By whiche the said title is now so clere and oppenne that ther remaineth to theym that wyll stryve therwith, nether matier nor coloure to do so. And verely ye be worthy grete thanke for

that ye haue thus planely fayd in thies matiers, not sparinge your owne oppynions whiche ye helde, while ye ware a parcyalle man; but preferring right a bowe wylle, and alle effections. And where as late ye drad that fuch maner of delynge might hurte your fame, truly Sir, it may not do so, for ye haue in no thinge fayd nay to fuch thinges as ye verely knewe; but in many things which ye proued by arguments ye haue now dysprouyd by gretter reafons. And many things which ye wrote by informacions wenynges thay hadd bene fuch as ye were tho informed, ye have fethen knowen by grete Euydences and Cronicles that thay were not fuch; which ye nowe knowledge as ye ought to do. For els ye hadd doone a yen right; which me thynketh ye be not so disposed to doo.

CHAP. IX.

The Fortescues of Filleigh, or Castlehill.

WE shall now inquire into what is on record of the posterity of the Chancellor, through his only son Martin Fortescue, or Sir Martin, as he is sometimes styled.

Martin Fortescue married Elizabeth Denzille or Deynsfell, daughter and heiress of Richard Denzille of Filleigh, Wear-Giffard, Buckland-Filleigh, and Landsend in Colebrook, all in North Devon; and in South Devon possessing Combe in Holbeton, and Tamerton, on the Tamar.¹ Their marriage settlement is dated September 10, 33 Henry VI. (A. D. 1454).²

The descent of this heiress, and of her large possessions, was as follows:—

The manor of Wear-Giffard³ was given to one of the Giffards by William the Conqueror; from which circumstance, and because there was a fish-wear in the river Torridge on the manor, the name arose. An heiress of Sir Walter Giffard, who was lord of the manor in 1242, married a Cornish Knight Sir Walter Tre-wen or Tre-awne, whose great-grandson William “called himself Weare, of his dwellinge;” and about the 13th of Henry IV., (A. D. 1411-12), marrying Elizabeth de Filleigh, daughter and heiress of John de Filleigh, sixth in descent from Simon de Filleigh, became thereby seized of the Filleigh and the Buckland-Filleigh estates. This William Weare, and Elizabeth de Filleigh, had issue, an only daughter, Joan Weare (Pole calls her Elizabeth), who carried both her father’s and mother’s possessions to her husband Richard Denzill, whose son Richard marrying Anne daughter of Sir Philip Courtenay of Powderham, and widow of Sir William Palton, had issue an only child Elizabeth, married to Martin Fortescue.⁴

There is little mention of this person, who died, at rather an early age, a few years before his father. He lived on his wife’s estates at Filleigh, the present Castlehill, where, says Rifdon,⁵ he had “large demesne with a park thereto belonging,” and, he adds, writing about A. D. 1620, “where the frankness of the housekeeper confirmeth the welcome of friends;”

¹ Westcote’s Devonshire, p. 352.

² Mr. Incedon, in *Stemmata Fortescuana*, relates that he had seen this document. See also Mr. Yonge’s letter in same compilation.

³ Letters to the author from Rev. J. W. Weare of Hampton House, Hereford, written in 1863; and Pole’s *Collections for Devon*, p. 385.

⁴ Pole’s *Collections for Devon*.

⁵ Rifdon, p. 313.



FAMILY OF

WILLIAM FORTESCUE of Wimpston, liv
1406. (See the Wimpston Pedigree.)

SIR JOHN FORTESCUE of Shepham and Norr
2nd son, Governor of Meaux in 1420.

SIR JOHN FORTESCUE, 2nd son, born about 1395; Ch
cellor to KING HENRY VI.

MARTIN FORTESCUE; mar. 1454; died before his father, Nov. 12, 1472. ELIZABETH, dau. and heir of RICHARD DENZILLE of Filleigh, Wear-land Filleigh; survived her first husband, and re-mar. SIR RICHARD

JOHN, aged 12 years at his father's death; born 1460; died June 2, 1503. A.D. 1480, JACQUET, dau. of RALPH ST. LEGER, Esq. of Amony, in Monksleigh. WILLI
ancesto

(1) GEORGE, aged 19 at his father's death.

GERTRUDE, mar. to SIR BERNARD DRAKE of Ash; buried 1601. RICHARD of Filleigh, born 1517; died 1570. JOAN, dau. of ... MORETON of Kent. MARY. HUMPHREY YEO of Heanton Sackville. ELLEN. WILLIAM CANWELL of Hach A
dell, in Loddifwell, buried 16

(1) HUGH of Wear- Giffard, buried 1600. ELIZABETH, dau. of SIR JOHN CHICHESTER of Raleigh; buried 1630. (2) GEORGE of Combe, living 1570. JOAN, dau. of Norleigh of Inwardleigh. A Daughter, mar. to JEFFRY TOTHILL. MARY. RICHARD CULME of Molland.

JOHN of Filleigh; buried 1605. MARY, dau. of HUMPHREY SPECCOT of Speccot, in Thornbury; buried 1637. HUGH of Wear-Giffard; 2nd son; mar. 1623; buried 1650. S.P. ELIZABETH, dau. of RICHARD COFFIN of Portledge. A Daughter, mar. to ANTHONY POLLARD of Way.

HUGH of Wear-Giffard, mar. 1612; buried 1661. MARY, dau. of ROBERT ROLLE of Heanton Sackville. ELIZABETH, mar. to ... LANGFORD. DOROTHY, mar. to GEORGE YEO. SARAH, r
WOOLCO

JOHN, ob. 1628, aged 6. ROBERT; no male issue; but by his 1st mar. GRACE, wife to SIR HALSWELL TYNTE; and by his 2nd mar. ELIZABETH, wife to GEORGE HORNER, Esq., issue a daughter, ELIZA. GRACE, dau. of SIR BEVIL GRENVILLE of Stowe, in 1644; 2nd, to SUSANNAH, dau. of SIR JOHN NORTHCOTE, in 1652. ARTHUR of Penwarne, in Cornwall, bur. 1693. BARBARA, dau. of JOHN ELFORD of Shepston, Esq. EDMOND. SARAH, dau. of HENRY ALAND of Waterford, Esq. HUGH. ... who afterwards married THOMAS DOYLEY, Esq. JOSEPH. SAM
Clee
Wea
fard
168

1st, BRIDGET, dau. and heir of HUGH BOSCAWEN of Tregothnan, died 1708. HUGH of Filleigh, died 1719. 2nd, LUCY, dau. of MATTHEW, 1st LORD AYLMER, died 1767. JOHN of Penwarne, Sheriff of Cornwall, 1741; no issue. AMY, dau. of SIR PETER FORTESCUE of Wood, Bart. ARTHUR of Penwarne, died 1736. DINAH, dau. of JOHN YERMAN of Lamornan, Cornwall. 1st, ... JOSEPH, Clerk of Peace co. Devon. 2nd, JOANNA, dau. of WILLIAM GAY of Barnstaple. EDMUND, died unmarried. 1704. JOHN, 1st LORD FORTESCUE of Credan, born 1670. 1st, GRACE, dau. of LORD CH. JUSTICE PRATT.

HUGH, Earl of Clinton, and 1st LORD FORTESCUE of Castlehill; born 1695; died 1751, unmar. BOSCAWEN, born 1701; died 1719; no issue. THEOPHILUS, born 1707; died 1745; M.P. for Barnstaple; no issue. ARTHUR, b. 1699; ROBERT, b. 1703; WILLIAM, b. 1704; ARTHUR, b. 1705; all died in childhood. MARGARET, born 1693; died 1760. BRIDGET, born 1696; died 1743. MATTHEW, 2nd LORD FORTESCUE, born 1719; died 1785. ANNE, dau. of JOHN CAMPBELL, of Stackpool Court, Pembroke-shire. LUCY, died 1746. GEORGE, LORD LYTLETON. JOHN, 1st of Penwarne, born 1776. 1st, dau. of WILL
Esq.

HUGH, 1st EARL FORTESCUE, born 1753; died 1841. HESTER, dau. of Rt. Hon. GEORGE GRENVILLE. HENRIETTA, dau. of Col. ARCHER, bur. 1794; 1st wife. MATTHEW, Capt. R.N., born 1754; died 1842. HENRIETTA ANNE, dau. of SIR RICHARD HOARE, Bart.; 2nd wife. JOHN, 3rd son, born 1755; died 1773. LUCY, b. 1756, mar. 1778, Rev. ... HARRINGTON. AN
die

HUGH, 2nd EARL, born 1783. LADY SUSAN RYDER, dau. of EARL of HARROWBY, died 1827. 2nd, ELIZABETH, dau. of P. GEALE, Esq.; widow of SIR W. SOMERVILLE, Bart. GEORGE MATTHEW of Bocconoc, b. 1791, d. 1877. LADY LOUISA E. RYDER, dau. of 1st EARL of HARROWBY. JOHN, in Holy Orders, b. 1790, d. 1869. SOPHIA, dau. of Rev. H. NEVILLE. HESTER, mar. to PETER LORD KING, d. 1873. CATHERINE, mar. Hon. NEWTON FELLOWES (afterwards Earl of Portsmouth), d. 1854. ANNE, mar. to GEORGE WILBRAHAM, d. 1864. MARY, mar. to SIR J. H. WILLIAMS, d. 1874.

HUGH, 3rd EARL, born 1818. GEORGINA, dau. of Hon. Col. DAWSON DAMER, d. 1866. JOHN WILLIAM, b. 1819; d. 1859. DUDLEY FRANCIS, b. 1827. LADY CAMILLA FELLOWES, dau. of the EARL of PORTSMOUTH. GRANVILLE HENRY, b. and d. 1827. LOUISA SUSAN ANNE, born 1833. GEORGE GRENVILLE, b. 1835; d. 1856. HARRIETT ELEANOR, born 1836. HUGH GRENVILLE, Coldstream Guards, born 1838, died 1875. MARY, born 1846. ELIZABETH FRANCES, born 1843. CYRIL DUDLEY, born 1847. BEVIL born 1850.

HUGH, VISCOUNT EBRINGTON, born 1854. SEYMOUR-JOHN, b. 1856. LIONEL HENRY DUDLEY, born 1857. ARTHUR GRENVILLE, born 1858. JOHN WILLIAM, b. 1859. CHARLES GRENVILLE, b. 1861. WILLIAM GEORGE DAMER, born 1866. SUSAN ELIZABETH, born 1848. MARY ELEANOR, b. 1849. LUCY CATH
b. 18

CASTLEHILL.

=ELIZABETH, dau. of SIR JOHN BEAUCHAMP
of Ryme, Dorset.

=ELEANOR, dau. and heiress of WILLIAM NORREIS
of Norreis.

=ISABELLA, dau. and heiress of JOHN JAMYS, Esq., of Philips-
Norton, Somerset.

d, and Buck-
EROY.

ELIZABETH.=EDWARD WHALESBURGH, Esq.

MAUD.=ROBERT, son of SIR ROBERT
CORBET, Knight.

Buckland Filleigh, which he inherited from his mother;=MATILDA, dau. and heir of JOHN
the FORTESCUES of Buckland Filleigh and Dromiskin. ATKYNS of Milton Abbot.

w of Filleigh.=ELLEN, dau. of MAURICE MOORE of Moor Hayes, in Collumpton, by AGNES, dau. of SIR LEWIS POLLARD.

A Daugh-
ter.=LEWIS HACHE of North-
aller, in South Molton.

ANNE, mar. to JOHN
RALEIGH of Ford.

LEWIS, died in 1595.

=WILMOT, dau. of SIR
ROGER GIFFORD.

ELIZABETH.

DOROTHY.

ACHILLES.

=PRUDENCE, dau. of . . .
LUTTRELL of Santon
Court, in Braunton.

MARGARET.

RY.=EDMUND REY-
NELL (brother
to GEORGE).

REBECCA.=GEORGE
REYNELL
of Malston.

SARAH.=LEONARD YEO
of Huish, Esq.

BARTHOLOMEW.= . . .

SUSAN.=STEPHEN
LEE.

to JOHN
of Combe.

MARY.

CECILY.

ANNE.

ROBERT.

RICHARD.

of MARY, ELIZABETH, (2) JOAN, (4) MARY, (5) MARGARET,
dau. of mar. to SIR (3) JOANNA, mar. to L. mar. to L.
YEO, GEORGE CHUDLEIGH, of Ashton, Bart. CLOBERY, of Erifsey, Esq. POTE of Godincote, Esq.

ELIZA-
dau.
R.
ICE
MER.

MARY,
mar. R.
COPLE-
STONE.

ELIZA-
BETH.

DOROTHY.

JOHN of
Cleeve,
born
1731.

ELIZA-
BETH
. . .

GEORGE,
died
young.

JOHN, died
1640.

ARTHUR, living
1628.

GERTRUDE,
1628.

GEORGE of
Combe,
mar. 1644;
died 1673.

=ELIZABETH, dau.
of JOHN FOR-
TESCUE of Buck-
land-Filleigh,
died 1668.

JOAN.=WILLIAM
LONGWORTH
of Hache
Arundel,
died 1664,
aged 81.

GEORGE,
born
1653.

JOHN of
Combe,
b. 1665;
d. 1705.

MARY,
died
1695.

THOMASIN,
born 1656.

JOAN, b.
1663;
d. 1718.

* * The above on the Combe Fortescues is from "Stemmata
Fortescuana," pp. 14, 74, 81, 117.

=2nd, . . .
dau. of
. . . TRE-
FUSIS.

MAR-
GARET
FRANCES.

HUGH,
Rector
of Filleigh,
living
1794.

=CATHE-
RINE,
dau. of E.
HOUNDLE
of Barn-
staple.

JOSEPH,
Bar.-at-
Law,
died
1779.

=BRIDGET,
nat. dau.
of EARL
CLINTON.

WIL-
LIAM,
Capt.
R.N.
buried
1775.

JOHN,
who
died
1743,
un-
mar.

Afon,
died
un-
mar.

A daugh-
ter, . . .
died un-
mar.

DORMER,
2nd LORD
FOR-
TESCUE of
Credan,
died un-
mar.
1781.

SAMUEL
of Bide-
ford.

cy,
11.
SOPHIA,
died
1833.

JOHN, born
1736; died
an infant.

MARY.

LUCY.

JOSEPH of Lynhurst,
born 1762; living
1795.

=MARY, dau.
of . . .
MOUNSEY.

ELIZA-
BETH,
mar. to
EARL of
DEVON,
d. 1867.

(1) MAT-
THEW, born
1786; mar.
1811; died
1852.

=ERSKINE, 4th dau. of
JAS. CHRISTIE, Esq.,
of Durie, co. Fife,
(by MARY TURNER
MAITLAND).

WIL-
LIAM,
in
Holy
Orders.

=ISABELL,
dau. of JAS.
CHRISTIE,
Esq., died
1826.

=2nd, ELIZA-
BETH, dau.
of REV.
ROBERT
GOULD.

HENRY.

CAROLINE,
dau. of
Rt. Hon.
Sir H.
RUSSELL.

JOSEPH
HUGH,
bap.
1791.

HUGH,
bap.
1793.

WIL-
LIAM,
bap.
1794.

MARY,
bap.
1792.

MATTHEW
CHARLES
MAITLAND,
born 1812;
died 1827.

MARY TUR-
NER ER-
SKINE,
born 1818;
mar. 1846.

=FREDE-
RICK J.
ISAACKE,
Esq.

THOMAS DYCKE
ACLAND, Capt.
R.N., born
1821; died
1865.

HARRIETT
BOSWELL
ERSKINE,
b. 1823;
mar. 1852.

=Capt. J.
STIR-
LING
STUART.

MARGARET=D. MARTIN
LUCY,
born
1824;
mar. 1846.

HUGH
EBRING-
TON, b.
1827;
d. 1859.

AR-
CHER,
born
1820.

=ANNE,
dau. of
PATRICK
SYME,
Esq.

FRAN-
CIS,
born
1826.

KATHERINE
FREDRICA,
d. of Capt.
A. ELLICE,
R.N.

GEORGINA
SEYMOUR,
b. 1852.

ELEANOR
HESTER,
d. 1864.

ALICE
SOPHIA.

A daughter,
born 1866.

WILLIAM
ARCHER,
b. 1851.

ISABELLA
BARCLAY,
b. 1854.

THOMAS DYCKE
ACLAND, born
1856.

HENRY,
born
1856.

FRANCIS
ALEX.,
b. 1858.

HUGH
CHARLES,
b. 1860.

and also at Wear-Giffard. At the latter place he enlarged and remodelled the mansion, leaving it much in the state in which it now remains, although some years ago the Honourable George Fortescue did much to restore and preserve it. It is a very interesting memorial of the last half of the fifteenth century; the church, hamlet, and mansion, the walls of the latter covered with ivy, myrtles, and vines, lying close together on the banks of the Torridge four miles above Bideford in the valley through which that river comes down from Torrington, form a pleasing group. The following description is partly from notes which I made on the spot in June, 1858, but, as to the heraldic details, from information very kindly supplied by the Reverend J. W. Weare, of Hampton House, Hereford, a descendant of the old family above-mentioned, as well as from the "*Stemmata Fortescuana*":—

The principal features are the old Gothic gate-house, built by the Weares, or Denzills, which formerly stood in a wall that surrounded the mansion, but was destroyed in the great Civil War; and the hall, built by Martin Fortescue about 1460, with "one of the finest oak ceilings in England, as richly carved as that of the Chapel of Henry VII. at Westminster."¹ It has at one end a range of stalls in oak and panel-work; at the opposite end a music-gallery also of oak, it is wainscoted all round. The fireplace is large and of stone, its archway with heraldic memorials, as follow:—The crest of Weare, three fish embowed and interlaced, in allusion to the name of the manor assumed by the Trewens after the marriage with Giffard. Two coats of arms over the fireplace in stone, viz.:—

1. Fortescue impaling Deynfell, Weare, and Fillegh; and
2. Fortescue quartering the same three coats.

Round the hall in oak panel are the following coats in order:—

- | | | | |
|--|--|---|---|
| 1 Giffard. | 2 Weare. | 3 ———
with heiress of
Giffard. | 4 ———
with heiress of
——— and
Giffard. |
| 5 Weare
with heiress of
Fillegh. | 6 Deynfell
with heiress of
Weare and
Fillegh. | 7 Deynfell, Wear, and Fillegh,
impaling Courtenay. | |

Martin also enjoyed, through his wife, the mansion of Buckland-Filleigh, lying high up the valley of the Torridge, about twelve miles from Wear-Giffard, in a wooded, hilly district, the outskirts of Dartmoor. He was the first of his name who settled in North Devon, all the seats of the Fortescues being hitherto in the southern parts of the county.

He left issue, two sons, John and William, and died on the Feast of St. Martin, Novem-

¹ Murray's Handbook for Devon and Cornwall, p. 131.

ber 12th, 1472, as we learn from an inquisition post mortem taken at Torrington on the 12th of May, in the next year.¹

His widow married secondly Sir Richard Pomeroy, whom she also outlived, Sir Richard dying in 1498-99.²

John Fortescue, eldest son of Martin, born in 1460, succeeded, at her death, to his mother's estates of Wear-Giffard and Filleigh, now Castlehill, and on the Chancellor's death, to Ebrington in Gloucestershire, and to the manor of Combe, in Holbeton, in South Devon. The former remains in the family as part of Earl Fortescue's estate; and he still receives a head-rent from Combe.

He married Jacoba, and died on the 2nd of June, 1502, leaving his eldest son George, who succeeded him, and a second son, Bartholomew. The second son of Martin Fortescue was William, who inherited Buckland-Filleigh from his mother, and founded that family, as well as its branch of Dromiskin and Ravensdale.

John Fortescue's eldest son George was born in 1484, being nineteen years old at his father's death, as we learn from two post-mortem inquisitions. It is strange that he should have been passed over without mention in all the numerous pedigrees of the family; such nevertheless is the case. It must therefore be assumed that he died early without issue, and that his brother Bartholomew inherited his father's estates soon after the death of the latter.

Bartholomew Fortescue married Ellen, daughter of Maurice Moor, of Moorehayes, in Collumpton, by Agnes, daughter of Sir Lewis Pollard, and had issue, two sons, Richard his successor, and Lewis, who died in 1595, having married Wilmot, daughter of Sir Roger Giffard; and four daughters, of whom Gertrude married Sir Bernard Drake³ of Ash, and died 1601; and Mary married Robert Yeo of Heanton-Sackville, leaving issue an heiress, who carried that estate to Henry, third son of John Rolle of Stevenstone. Bartholomew Fortescue died September 12th, 1557, at Wear-Giffard. Two post-mortem inquisitions held at Wells in Somersetshire, and in Exeter Castle,⁴ find that at the time of his death he was seized in Somerset, of the manor of Corfcombe held of the king, and in Devon of the manor of Wear-Giffard, held by military service of the co-heirs of Edward Earl of Devon; of Filleigh, Braleigh, Brodland, and Upcott, held of the same lord; of East Buckland, &c., &c., held of John Marrow, Esquire, by military service, and of Combe in Holbeton, Overcombe, Nethercombe, Bettokesbridge, Efford, and Alston, held of the heirs of Charles Duke of Suffolk, by military service.

The above mentioned manor of Corfcombe, or Croscombe, lies about two miles east of Wells, at the foot of the Mendip Hills. In the church, which I visited on the 21st of

¹ See the Appendix to this chapter.

² Letter from J. B. Yonge, Esquire, of Puslinch, in *Stemm. Fort.*, p. 117.

³ *Stemm. Fort.*

⁴ *Inq. Post Mort.*, 4 and 5 Phil. and Mary.

September, 1878, I observed some relics of the Fortescues. A brass chandelier hangs from the roof of the nave with the words, "The gift of Hugh Fortescue, Esq. anno 1707," inscribed on it, and the Fortescue arms are seen both on the north wall of the chancel, and on the open-work screen between the chancel and nave. Beneath one of the shields in the former position the date 1664 is visible, and upon it Fortescue impaled with a coat generally supposed to be that of Grenville. The height, however, at which the shields are placed prevented an accurate decipherment.

The manor is said by Collinson to have been sold by Hugh Fortescue, Earl Clinton, who died in 1751.¹

Richard, the eldest son of Bartholomew Fortescue, succeeded to his father's estates; he married Joan, daughter of — Moreton of Kent, and had issue two sons, Hugh the eldest, of whom presently, and George; and two daughters. George, the second son, received from his father by conveyance in 1557 his lands in Colebrook and Bridgerfwell, and by his father's will, dated March 28, 1570,² he was left his "capital house of Combe in Holberton alias Holberton in the County of Devon, with appurtenances;" and afterwards his brother Hugh gave him, by deed, in 1581, lands at Combe or Barrels-combe, in Holberton,³ "pro fraterno amore, et condolentia." He married Joan, daughter of — Norlegh of Inwardlegh.

George Fortescue is styled "of Combe," which he handed down to his descendants; its last possessor of the Fortescues, excepting so far as its head-rent is concerned, appears to have been John Fortescue, who made his will in August, 1718, proved October 17 of that year, in which the only relatives mentioned are a sister Upton, and three cousins Pollexfen.⁴

Richard Fortescue died in 1570, and was buried in the church of Filleigh,⁵ where there is a good brass to his memory. He is represented in armour, kneeling as in prayer, with this inscription:—

"Here lyeth Rychard Fortescue of Filleigh, Esquire, who died on the last
"Day of June, in the yeare of oure Lorde God, 1570."

In the corners of the brass there are two coats of arms:

1. Fortescue quartering Denzille, Filleigh, and Weare.
2. Fortescue with the quarterings, impaling Moreton.

Hugh, his son and heir, succeeded his father Richard; he was born in 1544,⁶ married Elizabeth, daughter of Sir John Chichester of Raleigh, and sister of Arthur Lord Chichester, Lord Deputy of Ireland; and by her had two sons and four daughters. John, the eldest

¹ Collinson's Hist. of Somerset, vol. iii. p. 469.

³ Yonge in Stemm. Fort.

⁶ Inq. Post Mort. on Richard Fortescue, 12 Eliz.

⁴ Wills, Ibid.

² Wills in Stemm. Fort.

⁵ Stemm. Fort., with plate.

son, who succeeded; Hugh, the second, married Elizabeth, daughter of Richard Coffin, Esquire, of Portledge, and died without issue in 1650; Hugh Fortescue died August 1, 1600.

The eldest son, John, married Mary, daughter of Humfrey Speccot, of Speccot, in Thornbury, leaving issue Hugh, Robert, and Richard, and six daughters. He died March 29, 1605. Hugh, his son and heir, was born in 1592; married, in 1612, to Mary, daughter of Robert Rolle, of Heanton-Sackville, ancestor of Lord Rolle, and died in 1661.

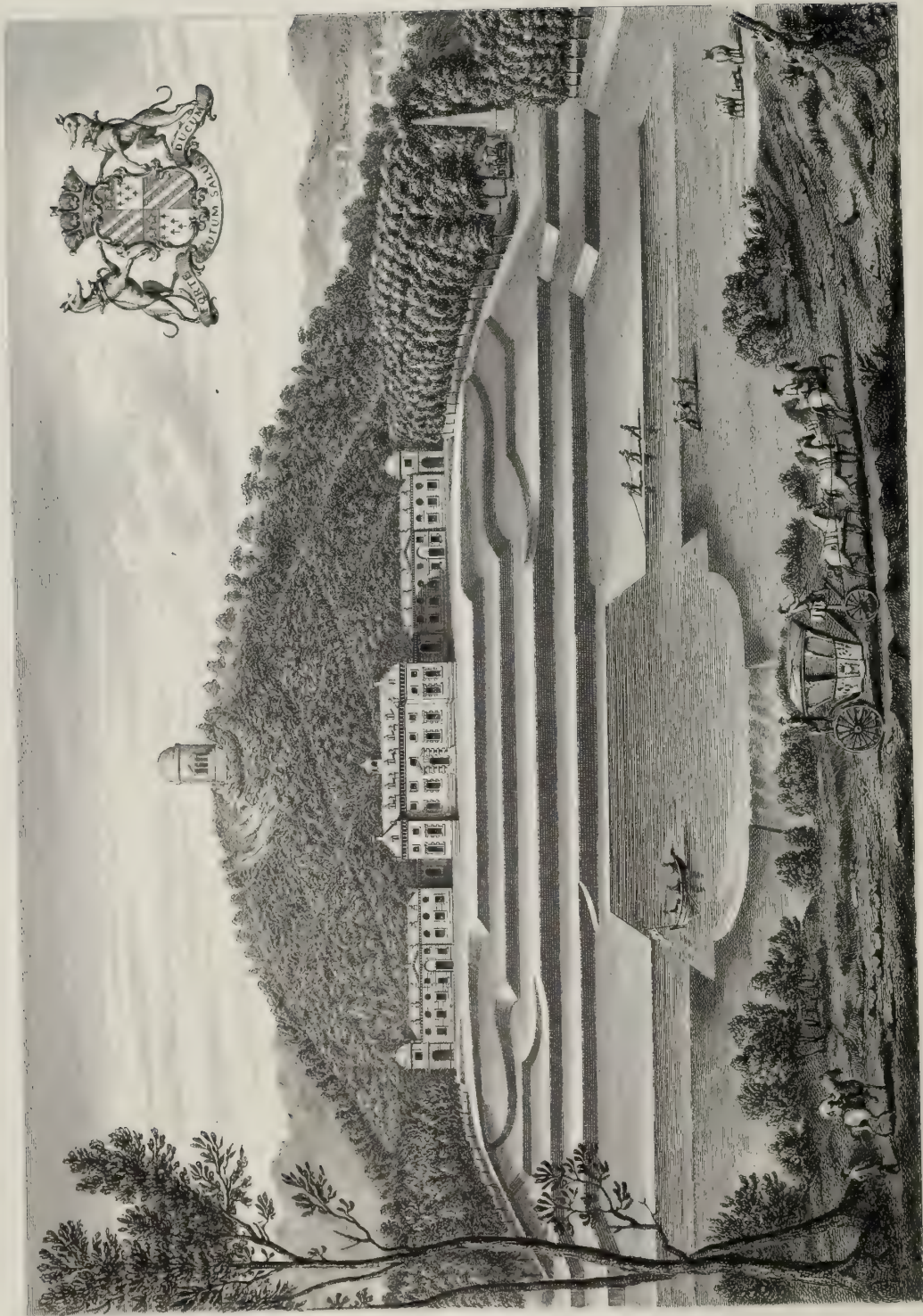
He erected, in the church of Wear-Giffard, a very large and elaborate monument to his grandfather and grandmother, Hugh and Elizabeth, his father, John, and his mother, Maria, with the following inscriptions:—

Memoriale Hugonis Fortescue Arm. et Elizabethæ ux: fil. Johis Chichester Eq. itemque Johis Fortescue eorum fil. Arm: et Mariæ ux: fil. Humphredi Speccot de Thornbury Arm: sunt hi ab Jõhe Fortescue Equite Duce Castri de Meaux in Gall. sub H. 5^{to} oriundi qui præsepia Fortescutorum de Winston Devon. ortus. habuit fil. Jõhem. summum Justic: et Cancell. sub H. 6^{to}. sepultum Ebertoniæ Glocest. familia quidem perantiqua et etiamnum felici fobole propagata.

Sepulti sunt Hugo Aug. 2^o. 1600. Elizabetha May 7^o. 1630.

Jõhes April 5^o. 1605. Maria April 11^o. 1637.

Stay (Reader), stay, this structure seems t'invite,
Thy wand'ring eyes on it to fix thy fighte;
In this pile's summitie thou may'st descrie
Heaven's all beholding and all guiding eye,
That sheds his benedictions gracious beames
Of Love and goodnesse on these fruitful streames
Of numerous Issue strong from Nuptial tyes
With various ancient worthy families.
Here is in brieft presented to thy view
The long-lined race of honoured FORTESCUE
Combined in holy rites on TIME's fair scrole
With Chichester, then Speccot, last with Rolle,
And long and wide may SACRED GRACE and FAME
Produce and propagate this generous name,
That it may brooke (what honour gave in field),
Le FORTESCU the strong and lasting shield,



View of the Palace of St. James, from the Park, 1794.

A shield not only theyr own right to fence
But also to repell wrong's violence,
Which that it may accordingly be done
Pray (Reader) pray GOD BE THEIR SHEILD AND SUNNE.

HUGO . FORTESCUE . SCVTIGER . SVPERSTES . VIR . MARIE .
ROLLE . ISTUC . FIERI . FECIT . HONORIS . CAVSA.

Hugh Fortescue¹ had issue an eldest son, John, who died young. Colonel Robert Fortescue, the second son, who succeeded to the family estates, was born in 1617, married first, Grace, daughter of Sir Bevil Grenville, of Stowe, by whom he had a daughter, Grace, married to Sir Halfwell Tynte.

His second wife was Sufannah, daughter of Sir John Northcote, by whom he also had one daughter, Elizabeth, married to George Horner, Esquire, and had issue.

Colonel Fortescue, by his will proved June 6, 1677,² bequeaths "fifty or sixty pounds to be employed by my trustees (Sir Halfwell Tynte and others), in the new polishing and adorning the monument in the Parish Church of Ebrington, of Sir John Fortescue, Knight, sometime Lord Chancellor of England, my worthy and renowned ancestor." He must have died in the year 1675, because, at the date of his will, in January of that year, his wife was supposed to be with child, and was still so supposed when her husband died. The testator leaves all his estates in Devon, Somerset, Gloucestershire, and Wiltshire to his male issue if such should be born; if no son be born, then to his brothers Arthur, Edmund, and Samuel successively. There was no son, and Arthur of Penwarne, the next brother, succeeded. We shall return to him presently. It may be observed that the foregoing mention of estates of the Fortescues in Wiltshire is the first since the Chancellor's time, who acquired some in that county, probably those now referred to.

Edmund Fortescue, fourth son of Hugh by Mary Rolle, married Sarah, daughter and heir of Henry Aland, of Waterford, Esq., and had two sons; of whom the eldest, Edmund, of Speccot, died unmarried in 1704, having taken the additional name of Aland; and the second son, John, became Lord Fortescue of Credan, and will be mentioned further on. Hugh, fifth son of Hugh and Mary, married a lady whose name has not survived, (but who, when a widow, married Thomas D'Oyley, Esq.,) and had a son John. Joseph, sixth son of Hugh by Mary Rolle, died without issue. Samuel, their youngest son, was styled of Cleeve or Clift, in the parish of Weare-Giffard; he married Mary Yeo, and left issue, at his death in 1681, his eldest son John of Cleeve, who died in 1731;³ and three daughters, a second son, George, having died young before his father.

¹ See the Post-Mortem Inquisition.

² Stemm. Fort.

³ See Pedigree.

Of the four sisters of the seven brothers above recorded, Elizabeth married Sir George Chudleigh of Aughton, Baronet. The names and marriages of the others will be found in the Pedigree.

We now return to Arthur Fortescue, second surviving son of Hugh Fortescue by Mary Rolle. He was seated at Penwarne in Cornwall, during his elder brother's life. He married Barbara, daughter of John Elford, of Shepton, Esquire, and had issue by her, four sons. Hugh, the eldest, of whom hereafter, John of Penwarne, second son, served as High Sheriff of Cornwall in the year 1741; married Amy, daughter of Sir Peter Fortescue, of Wood, Baronet,¹ but had no issue by her. Arthur of St. Endar, and of Penwarne, third son, married Dinah, daughter of John Yerman of Lamornan, in Cornwall,² and had a son, John of Penwarne, who died in 1776; and Joseph, fourth son, Clerk of the Peace for the County of Devon, for whose marriage and issue see the Pedigree.

I do not know if any male representative of the Penwarne family now exists. In Exeter Cathedral is a tablet to Matilda, widow of Vice-Admiral Peard, eldest daughter of William Fortescue, Esquire, of Penwarne. She died in 1847, aged sixty-two.

Hugh Fortescue of Filleigh, eldest son of Arthur by Barbara Elford, married, first, Bridget, only daughter and heir of Hugh Boscawen, Esquire, of Tregothnan, in Cornwall, by his wife the Lady Margaret, fifth daughter of Theophilus Clinton, Earl of Lincoln; by whom he had, besides four sons who died in infancy or childhood, three sons and two daughters, viz. the eldest son, Hugh, afterwards Earl Clinton, of whom hereafter; second, Boscawen, born 1701, and died 1719; third, Theophilus, born in 1707—he served in Parliament for the borough of Barnstaple in the two successive Parliaments which met in 1727 and 1734, and in 1741 was chosen a knight of the shire for Devonshire, and so continued until his death in March 1745.

The daughters were Margaret, born in 1693, and died in 1760, unmarried; and Bridget, born 1693, and died in 1743, also unmarried.

Mrs. Fortescue died in 1708; and her husband, Hugh Fortescue, married secondly, Lucy, daughter to Matthew, first Lord Aylmer; and by her, who died February 18, 1767, aged eighty, had issue, a son Matthew, born 1719, who became the second Lord Fortescue on the death of his half-brother the Earl Clinton; and a daughter Lucy, born about 1717, who married, in 1742, George Lyttleton, afterwards first Lord Lyttleton, distinguished as an historian, poet, statesman, and Christian philosopher; with him she lived in a state of wedded happiness, which became almost proverbial, founded upon the solid basis of the virtues and piety with which they were both endowed. This happy union, however, was severed by her death in childhood, in the year 1746. She left an only son, Thomas, afterwards second Lord Lyttleton, who, in his life and death, was a singular and melancholy contrast to his

¹ His Will.

² Stem. Fort. for most of this.

parents. It happens that descriptions of the characters and last moments of both father and son are in print; the one in Johnson's "Lives of the Poets," the other probably in several works; certainly in "Notes and Queries;" and both will repay the trouble of reference.¹

The good Lucy Lyttleton was buried in the church of Over Arley in Worcestershire; but her monument is in that of Hagley in the same county, with two inscriptions, in English and Latin, which, as they are not unworthy of the pen of her husband, whom Johnson has admitted among the poets of England, it will be proper to insert here.

To the
Memory of LUCY LYTTLETON,
Daughter of Hugh Fortescue of Filleigh
In the County of Devon, Esq.,
Father to the present Earl of Clinton:
By Lucy his Wife,
The Daughter of Matthew Lord Aylmer,
Who departed this Life the 19th of Jan. 1746-7,
Aged twenty-nine,
Having employed the short Term assigned to her here
In the uniform Practice of Religion and Virtue.

Made to engage all hearts and charm all eyes;
Though meek, magnanimous; though witty, wife;
Polite as all her life in Courts had been;
Yet good as she the world had never seen;
The noble fire of an exalted mind,
With gentlest female tenderness combined;
Her speech was the melodious voice of Love;
Her song the warbling of the vernal grove,
Her eloquence was sweeter than her song,
Soft as her heart, and as her reason strong.
Her form each beauty of her mind express'd,
Her mind was virtue by the Graces dress'd.

¹ Notes and Queries, 2nd Series, vols. v. and vi. Lord Lyttleton's other children by Miss Fortescue were Lucy, married, in 1767, to Arthur Earl of Mount Norris, and Mary, who died an infant. Lord Lyttleton married, as his second wife, Elizabeth, daughter of Sir Robert Rich, by whom he had no issue.

Family of Castlehill.

M. S.

LUCIÆ LYTTLETON

Ex antiquissimorum Fortescutorum genere ortæ ;

Quæ annos nata viginti novem,

Formæ eximiæ, indolis optimæ, ingenii maximi,

Supra ætatem et sexum exculti,

Sine superbia laude florens,

Morte immaturâ

Vitam piè, pudicè, sanctè actam

In tertio puerperio clausit,

Decimo nono die Januarii,

Anno Domini 1746-7.

Fleta etiam ab ignotis.

Uxori dilectissimo

Quinquennio felicissimo conjugii nondum absoluto

Immenfi amoris ac desiderii hoc quale cunque monumentum

Posuit Georgius Lyttleton,

Adhuc eheu ! superstes,

At in eodem sepulchro ipse olim sepeliendus,

Et per Jesum Christum Salvatorem suum,

Ad vitæ melioris diuturniora gaudia

Lachrymis in æternum absterfis,

Se cum illâ resurrecturum confidens.

Hugh Fortescue of Filleigh sat in Parliament, from the year 1689 all through the reign of William III., until the close of the Parliament elected in the seventh of Queen Anne in 1708; during that time he represented first Tregony,¹ then Grampound and Truro in succession, then Tregony again, and finally St. Michael's. It is likely that some at least of these Cornish boroughs were under the influence of his wife's family the Boscawens, whose heiress she became.² The following letter, dated at Tregothnan in 1693, from the Cornish member to Robert Harley, afterwards the great minister and Earl of Oxford, favours this supposition. The term "brother" must be there used to Harley as a member of a club, of which the writer was also a member. There was a custom in the "October Club" and others³ by which the members thus addressed each other.

"Tregothnan, M'rch 8th, 93.

"DEAR BROTHER,

"By y^r votes I find you've sent for all ye members up to attend ye service of ye house. I'm sorry that tis almost impossible for me to come up, for my wife (who expected to have

¹ Willis's Notitia Parliamentaria.

² Harl. MS., 7524, f. 66.

³ See Roscoe's Life of Pope, i. p. 58.



THE RESIDENCE OF RARI FORTESCU

had a childe three weeks since) houlds out yet, but tis judged by ye skilfull that she will be brought to bed in few days; and is now very ill; and you knowe t'will looke very unkind to leave her at such a juncture, and may be ill refented by her nearest relations that I shoud doe such a thing; so consequently be very prejudiciall to my intrest; you knowe what I meane; this therefore is to request ye favour of my D Bro' Harley that he would use his intrest that I may be excused: if you thinke it convenient to speake to him I'd aske ye same favour from S^r Christo. Musgrave in particular; w^{ch} will infinitely oblige

“Y^r affectionate humble Ser^t.”

“J. FORTESCUE.¹”

“Adressed: For Robert Harley, Esqr.

“A Member of Parlm^t.

“London.”²”

Hugh Fortescue, whose will is dated January 5, 1714, died in 1719, and was succeeded by his eldest son, Hugh, born in 1695; who, in consequence of the death, without issue, of Edward, thirteenth Baron Clinton and fifth Earl of Lincoln, obtained that ancient barony, which, on the 16th of March, 1721, was called out of the abeyance into which it had fallen in the year 1692, by a writ of summons to him as fourteenth baron, in right of his mother Bridget Boscawen, only child of Lady Margaret Clinton, youngest daughter of Theophilus, twelfth Baron Clinton and fourth Earl of Lincoln. Lord Clinton was appointed, in 1721, Lord Lieutenant and Custos Rotulorum of Devonshire; in 1723 he became a Lord of the Bedchamber to King George I., and a Knight of the Bath in 1725. In 1733 he resigned his Lord Lieutenancy and place in the bedchamber; why he did so does not appear. Horace Walpole says that “soon after he received the Order of the Bath he went into opposition, and left off his ribbon and star for one day, but thought better of it, and put them on the next.”³ If the same writer is correct, Lord Clinton was employed by the ministry upon some negotiation with France in 1744.

In 1746, July 5th, George II. created him Lord Fortescue of Castlehill, (with a special remainder of the barony to his half-brother Matthew,) and Earl Clinton. Lord Clinton changed the name of his residence from Filleigh, which it had so long borne, to Castlehill, which it now bears; he also rebuilt the house about A.D. 1740. The first Earl Fortescue, writing to Lysons the topographer in January, 1821, says:⁴ “This house was so entirely altered inside and outside by my uncle Lord Clinton (my father's half-brother), about eighty

¹ I conclude that the copyist has written J. in place of H. for Hugh Fortescue, who married Miss Boscawen of Tregothnan, and had a child born in 1693.

² Afterwards Earl of Oxford.

³ Walpole's Letters (Cunningham), vol. i. p. 298.

⁴ Lysons's Topographical Collections, Add. MS. 9427, f. 160 (Brit. Mus.).

years ago, that very little remains of the ancient house except its site." The facsimile of an old print included in this volume shows the appearance of the former mansion.

The Earl died May 3, 1751, when that title became extinct, while his barony of Clinton went to his sister Margaret, who, however, does not seem to have assumed the title, and at her death passed to Margaret Rolle, Countess of Orford, grand-daughter of Lady Arabella Clinton second daughter of Theophilus fourth Earl of Lincoln before mentioned.

Matthew Fortescue of Filleigh, son of Hugh by his second wife Lucy Aylmer, became, on his brother's death, second Lord Fortescue. He married, in June, 1752, Anne, daughter of John Campbell, Esq., of Calder, in Scotland, and of Stackpole Court, in Pembrokeshire, ancestor of Earl Cawdor, and had issue by her three sons and two daughters; Hugh, the eldest son, who succeeded his father; Matthew, the second son, a captain in the Royal Navy, born April 12th, 1754, married, first, in May, 1778, Henrietta, daughter of Colonel Archer, which lady died in 1794; secondly, June 6th, 1795, Henrietta Anne, daughter of Sir Richard Hoare, Baronet, and widow of Sir Thomas Acland, Baronet. Captain Fortescue had issue by both wives, for which see the Pedigree. He died in 1842. John,¹ the third son, born in 1733, died in 1755, unmarried.

The two daughters of Matthew, second Lord Fortescue, were Anne Lucy, who died in 1841, and Sophia, who died in 1833, both unmarried. Their father died in 1785, and was succeeded in his estates and title by his eldest son, Hugh, born March 12, 1753.

He was elected Member of Parliament for Beaumaris at the general election of 1784, but in July of the following year became by his father's death a member of the House of Peers. He was for some years Lord Lieutenant and Custos Rotulorum of Devonshire. He married, on the 10th of May, 1782, Hester, third daughter of the Right Honourable George Grenville, and sister of George, Marquis of Buckingham. On the 15th of August, 1789, he was promoted in the Peerage, being created Viscount Ebrington of Ebrington, in Gloucestershire, the seat of his ancestor the Chancellor, and Earl Fortescue. Lord Fortescue died at Castlehill on the 22nd of June, 1841, at the venerable age of eighty-eight years, during fifty-five of which he had been a member of the House of Lords.

I find, in some correspondence between this nobleman and Mr. Lysons the topographer, the following paragraphs, which are interesting, as showing the numbers of the red deer on Exmoor at that time. In answer to queries, Lord Fortescue, writing from Castlehill on the 2nd of December, 1821, says:—

"The Stag-hunt comes very much within my knowledge, as I kept the hounds myself till within these three years, and then sent them over to Mr. Lucas, of Brecondown, who keeps them by subscription. The late Sir Thomas Acland and his father kept them before me, as did Mr. Bassett

¹ Stemmata, and Lodge.

after the late Sir Thomas Acland's death. They were formerly kept by Mr. Dykes, the father-in-law of the first Sir T. Acland.

"I generally killed about ten flags in the year, and about double the number of hinds."

And again, on the 12th of December :—

"I don't know that I can add anything to the details I gave you on the subject of the Stag-hunt in my last. The deer are certainly found nocturnal, and inhabit the woods in this part of the country south of Exmoor, and likewise those in the vicinity of Purbeck and Dulverton on the other side of Exmoor, which occasions their frequently leading us chafes across the Forest."

Earl Fortescue left issue three sons and six daughters : first, Hugh, second Earl ; second, George Matthew, of Boconnoc in Cornwall, and of Dropmore, in Buckinghamshire, born May 21, 1791, married, February 19, 1833, Lady Louisa Elizabeth Ryder, fifth daughter of the first Earl of Harrowby, and had issue four sons, viz. : George Grenville, born January 2, 1835, died from the effects of an accident November 2, 1856 ; Hugh Granville, of the Coldstream Guards, born May 2, 1838, died November 19, 1875 ; Cyril Dudley, of the Coldstream Guards, born September 19, 1847 ; John Bevil, born November 1, 1850 ; and four daughters, viz. : Louisa Susan Anne, born November 14, 1833, died March 30, 1864, having married June 25, 1863, William Westby Moore, Esq., second son of the Right Honourable Richard Moore, Judge of the Queen's Bench in Ireland ; Harriet Eleanor, born August 19, 1836, married March 29, 1864, Rear-Admiral Augustus Phillimore, R.N. ; Mary, born March 7, 1840 ; Elizabeth Frances, born September 17, 1843. The Honourable George Matthew Fortescue died at Boconnoc on the 14th of January, 1877, aged 85 years. This gentleman, who was much and deservedly respected, inherited the estates of his uncle, Lord Grenville, at Dropmore and elsewhere, upon the death, on the 13th of June, 1864, of Lady Grenville, the widow of that nobleman ; and by the same event Mr. Fortescue succeeded to Boconnoc and the other estates of Lady Grenville which she had derived from her brother Thomas Pitt, second and last Lord Camelford ;¹ John, the third son of the first Earl, born May 5, 1796, Canon and Prebendary of Worcester Cathedral and Rector of Poltimore, married, in 1842, Sophia, daughter of the late Rev. Henry Neville, Rector of Cottesmore, Rutland, and had issue :² Canon Fortescue, who survived his wife by only a few days (she having died December 29, 1868), died January 3, 1869, and was buried in the cloisters of Worcester Cathedral in the same grave as that which had received the body of his wife only the day before his death.

The daughters of the first Earl Fortescue were : first, Hester, born December 17, 1784, married, May 20, 1804, to Peter, seventh Lord King, died December, 1873 ; 2nd, Katherine, born 30th August, 1786, married, June 24, 1820, to the Honourable Newton Fellowes, afterwards fourth Earl of Portsmouth, died April 17, 1854 ; third, Anne, born 3rd October,

¹ See the Pedigree.

² See the Pedigree.

1787, married, in 1814, to George Wilbraham, Esq., of Delamere Lodge, Cheshire, died February 28, 1864; fourth, Mary, born 15th September, 1792, married, 5th February, 1823, to Sir James Hamlyn Williams, Baronet, deceased; fifth, Eleanor, born 2nd April, 1798, died August 12, 1874; sixth, Elizabeth, born 10th July, 1801, married, 27th December, 1830, to Viscount Courtenay, now 12th Earl of Devon, and died January 27, 1867.

Hugh, Viscount Ebrington and second Earl Fortescue, was born February 13, 1783. He was educated at Eton, and at Brasenose College, Oxford. In 1804 he was first returned to the House of Commons, being elected for Barnstaple. In December, 1814, when travelling on the Continent but lately opened to the English, he proceeded to Elba, where the great Napoleon was then in banishment, and was fortunate in being invited on two occasions to a private interview and dinner, an account of which he afterwards published. The freedom with which the ex-Emperor discussed many actions of his career makes the narrative unusually interesting. From 1820 to 1831 Lord Ebrington sat for Tavistock, and in the latter year he was chosen Knight of the Shire for the northern division of Devonshire, which he continued to represent until he was appointed Lord Lieutenant of Ireland, on which occasion he was called up to the House of Lords, in his father's barony of Fortescue. He held the high office of Lord Lieutenant until Sir Robert Peel's accession to office in 1841.

In May of that year his father the first Earl died, and Lord Ebrington became second Earl Fortescue. From 1846 to 1850 he was Lord Steward of the Queen's Household. He was a Knight of the Garter, Lord Lieutenant and Vice-Admiral of Devonshire, and Colonel of the first Devon militia.

He married, first, on the 4th July, 1817, Lady Susan Ryder, daughter of the first Earl of Harrowby, by whom, who died July 30, 1827, he had issue, 1st, Hugh, the present Earl, born April 4, 1818; 2nd, John William, born 1819, M.P. for Barnstaple, Lieut.-Colonel of the East Devon Militia, died at Madeira in 1859; 3rd, Dudley Francis, born in 1820, M.P. for Andover, married, in 1852, Lady Camilla Eleanor Fellowes, daughter of the 4th Earl of Portsmouth.

He married, 2ndly, in 1841, Elizabeth, daughter of Piers Geale, Esq., and widow of Sir Marcus Somerville, Bart. By this lady, who survives him, he had no issue. He died at Exeter, 14th September, 1861, aged 78 years.

Lord Fortescue was a person of considerable abilities, with a refined and accomplished mind. He was a consistent and most upright politician, held in high respect as well by opponents as by friends; while as a resident landlord and country gentleman he deserved and enjoyed the esteem of all.

It may be truly said here that in the Fortescue family, which has flourished through so many generations, few have been more distinguished, and none more worthy than the late Earl Fortescue. A statue to his memory stands in the Castle yard at Exeter with this



inscription: "This memorial, marking the love of friends and the respect of all, was erected 1863."

Hugh, Viscount Ebrington succeeded as third Earl on the death of his father. He sat in the House of Commons for Plymouth from 1841 to 1852. He was a Lord of the Treasury in 1846 and 1847, and Secretary to the Poor Law Board from 1847 to 1851. In 1854 he again became a member of the same House, sitting for Marylebone from 1854 to 1859, and in December of the latter year he was summoned to the House of Lords in his father's barony.

He married, in 1847, on the 11th of March, Georgina Augusta, eldest daughter of the Right Hon. Lieutenant-Colonel G. L. Dawson-Damer, uncle of the present Earl of Portarlington, and by that lady, who died on the 8th of December, 1866, he has issue seven sons and seven daughters: 1. Hugh, Viscount Ebrington, born 16th April, 1854; 2. Seymour John, born February, 1856; 3. Lionel Henry Dudley, born November, 1857; 4. Arthur Grenville, born December, 1858; 5. John William, born December, 1859; 6. Charles Grenville, born October, 1861; 7. William George Damer. The daughters are: 1. Susan Elizabeth, born September, 1848; 2. Mary Eleanor, born October, 1849; 3. Lucy Catherine, born March, 1851, married, August 3, 1874, to Sir Michael Edward Hicks-Beach, Bart., M.P. for East Gloucestershire, and Secretary of State for the Colonies; 4. Georgiana Seymour, born June, 1852, married, September 26, 1877, to Lord Ernest Seymour, 3rd son of the 5th Marquis of Hertford; 5. Eleanor Hester, born December, 1862, died September, 1864; 6. Alice Sophia, born June, 1864; 7. Frances Blanche, born August, 1865.

There is a branch of the Castlehill family, of which, because of the distinction attained by one of its members, it will be proper to give a particular account.

LORD FORTESCUE OF CREDAN.

Hugh Fortescue, of Filleigh, who married, in 1612, Mary Rolle, of Heanton-Sackville, had, as we have already mentioned, a third surviving son, Edmund, styled "of London," who married Sarah, eldest daughter of Henry Aland, of Waterford, Esq. This lady became, by the death, without issue, of her only brother Henry, in the year 1683, the possessor of the estates of her family in Ireland. By her Edmund Fortescue had three sons: 1. Edmund, who took the additional name of Aland; he resided at Speccot, and died unmarried in 1704; 2. John, afterwards Lord Fortescue of Credan; and, 3. Henry, born 1678, and died unmarried, in 1702.

Edmund Fortescue died in 1681. He had purchased, in 1670, the manor of Bierton¹ in Aylesbury Hundred in Bucks, which descended to his sons and grandson.

¹ Lipscomb's Buck., ii. 100.

John, his second son, succeeding to his mother's property on the death of his elder brother, took her name after his own. He was born March 7th, 1670. In 1688 he entered the Middle Temple, but afterwards removed to the Inner Temple, of which he was chosen Reader in 1716.¹ He was returned to Parliament as member for Midhurst in the first Parliament of George I., but soon left the House of Commons for the Bench. On October the 22nd, 1714, two months after the accession of George I., he was appointed Solicitor-General to the Prince of Wales, afterwards George II.; and on December 21, 1715,² he became, on the resignation of Sir Nicholas Lechmere, Solicitor-General to George I. This place he held only until the beginning of 1717, being, on the 24th of January in that year, raised to a seat on the Bench as a Baron of the Exchequer, upon the death of Sir Samuel Dodd, and knighted.⁴ On May 19, 1718,³ he was removed to the Court of King's Bench, and continued one of its judges until the accession of George II. On the 11th of June, 1727, he was superseded, but speedily restored to the office of judge, becoming, on January 28, 1728,³ a Justice of the Common Pleas; thus going through the three courts of law. In this last he may be said to have spent the remainder of his life, continuing to discharge his duties until Trinity Term of 1746, when, being now old, and so infirm as to be unable, even in summer, to go circuit, he resigned. Fofs informs us that four years earlier he had asked for his retiring pension, and wished to become again a member of Parliament. In August following he was, by patent dated the 15th August, 1746, "in consideration of his merits and services," created a Peer of Ireland, with the title of Baron Fortescue of Credan, the name of a headland on the eastern shore of Waterford harbour, and forming part of the Aland estates, which included several townlands in that portion of Waterford county. Some such distinctive addition was called for by the creation, only a month before, of Earl Clinton as Baron Fortescue, with remainder to his half-brother, as we have seen.

Lord Fortescue did not long survive his retirement, dying on the 19th of December, 1746, aged 76 years.

By his will, dated 29th September, 1746,⁵ he names "his kinsman, William Fortescue, Master of the Rolls, as one of his Trustees and Exors," with "his trusty friend, Dormer Parkhurst, of Hawk Hall, Staffordshire, and his dear wife Elizabeth." He leaves his estates of Knolleshill and Lambourne to his son Dormer for life, with remainder to Lord Clinton (Hugh Fortescue), and 50*l.* to the poor of South Molton, and the same sum to the poor of Bideford. The Master of the Rolls was a distant kinsman; but as they were quite contemporary in their career, fitting, indeed, for a time as judges in the same court, they probably were intimate friends.

The following anecdote has been preserved in the "Conveyancer's Guide":—

¹ Fofs, Judges, viii. 99.

² Collins' Peerage says 1716.

³ Beatson, Polit. Index, ii. 313.

⁴ Chalmers, Biog. Dict.

⁵ Stem. Fort., p. 105.

"The Baron had one of the strangest noses ever seen; its shape resembled much the trunk of an elephant, 'Brother, brother,' said the Baron to the counsel, 'you are handling the case in a very lame manner.' 'Oh no, my Lord,' was the reply. 'Have patience with me, and I will make it as plain as the nose in your Lordship's face.'"¹ I have somewhere met with a different version of this story, where a very obscure case was said by the counsel "to be as plain as the nose on the judge's face"—a reading which his portraits favour rather than the other.

Lord Fortescue left behind him a very respectable reputation as an excellent lawyer and an able and upright judge. His judgments are on record in the Report books of the time. Foss gives this example of his "manner on the bench," from a case called "Bentley's case." "The laws of God and man," he said, "both give the party an opportunity to make his defence, if he has any. I remember to have heard it observed by a very learned man, that even God himself did not pass sentence upon Adam before he was called to make his defence. 'Adam (says God), where art thou? Hast thou not eaten of the tree whereof I commanded thee that thou shouldest not eat?' and the same question was put to Eve also."

He was, moreover, very learned in the Saxon language and literature, and has left behind some results of his studies in the Prefaces to both his works, where he insists on the importance of a knowledge of the laws and customs of our Saxon forefathers to all who study the constitution of England. He had a deep and deserved veneration for his ancestor the Chancellor, whose tone and style he copies when treating of the excellence of the legal institutions of this country, as compared with those of other nations.

Some authorities say, I do not know on what grounds, that Lord Fortescue was educated at Oxford. His name occurs in the list of Oxford graduates only as a D.C.L. by diploma, dated May 4, 1733, without the mention of a college; and it will be seen in that document, given at the end of this chapter, that there is no reference to his being previously a member of the University. The language of the diploma is, as usual, highly complimentary. After likening him to his great ancestor in talents, learning, love of his country, and loyalty to his king, the chancellor, masters, and scholars go on to acknowledge some special service which, by a decision in its favour, he rendered to the University, in these words: "*Ut dum Amplitudini et Privilegiorum Incolumitate suæ Curia prudenter consulit, idem, pro singulari suâ moderatione et Abstinentiâ, Jura concessa Nostra Nobis non invideat.*"

He was a Fellow of the Royal Society.

His works are—a Preface and Notes to the Treatise "On Absolute and Limited Monarchy, by Chancellor Fortescue," which he edited, and printed for the first time, (this

¹ Conveyancer's Guide, p. 107, quoted by Foss, from whose "Lives of the Judges" much of the foregoing information is derived.

volume was published in London in 1714, and a second edition in 1719); and "Reports on Select Cases in all the Courts of Westminster Hall," with a long and learned preface, in one volume folio, published by Lintot in the Savoy, in 1748. Lord Fortescue here gives his opinion at length upon a question referred by King George I. to twelve judges, as to his right to the guardianship of his grandchildren, the children of George, Prince of Wales. This was called, "The Grand Opinion for the Prerogative." As the junior, he is the first to deliver his judgment. He decides for the king, although, as he himself observes, "he had been Solicitor-General to the Prince of Wales, and one of the first officers in his service." In this he is followed by the majority, the numbers being 10 to 2. Possibly this decision may account for Lord Fortescue's dismissal from the Bench when the prince became George II., a supposition, however, not very favourable to that king, as, if true, he must have kept up his resentment for thirteen years. He was, nevertheless, satisfied by a not very severe punishment, as the superseded judge was soon restored.

It may be remarked that his appointment as baron bears date the very same day as that on which the judges met for the second time on the foregoing question; they had met first, two days before, on the 22nd of January.

I find by a reference to the MS. correspondence of Mr. Francis Gregor, the editor and translator of *De Laudibus Legum Angliæ*, kindly allowed by the present owner of Trewarthenick, that Lord Fortescue was frequently consulted by him, and that he suggested to Mr. Gregor several alterations and emendations. This correspondence bears dates of the years 1731 to 1737.

He married twice, each time into families of distinguished lawyers. His first wife was Grace, daughter of Lord Chief Justice Pratt, great-great-grandfather of the present Marquis of Camden. By her he had two sons and one daughter,¹ who all died before their father. The eldest son, John, was born in 1722. He was called to the bar, but died at the age of thirty-one, at Tours, in France, December 9th, 1743, as recorded by an inscription over his grave in the church of Stapleford-Abbots, now paved over, which goes on to say that "he was brought over thither out of a Popish country for a decent Protestant burial."

Lord Fortescue married a second wife on the 29th of December, 1721, viz. Elizabeth, daughter of Mr. Justice Dormer, a Judge of the King's Bench, and formerly, in 1701, member of Parliament for the County of Bucks, who afterwards succeeded to the estates of his nephew, Sir William Dormer; and Lady Fortescue of Credan then became a co-heir to her father; and thus her son, the second lord, for a time possessed part of the Dormer estate in Buckinghamshire, namely, the Manor of Lee Grange, until he lost it by the suit of a male relation of Judge Dormer's.²

By Miss Dormer, Lord Fortescue had an only son, Dormer, born in 1722. She died in

¹ See Monument in Stapleford Church.

² Lipscomb's Bucks, vol. i. 415.



THE HONOURABLE JOHN HANCOCK, ESQ. OF THE MIDDLE TEMPLE

CHIEF OF THE CHANCERY OF THE DUCHY OF BRUNSWICK

Died A.D. 1746.

April, 1748, surviving her husband one year and four months, and was buried by his side in the chancel of Stapleford-Abbots' church.

The old Judge had, many years before his death, established himself in Essex. He bought from the Barefoot Family the Manor of Lambourn, in the parish of that name, and Hundred of Ongar; and afterwards, in the neighbouring parish of Stapleford-Abbots, the mansion of Knowles, or Knollshill, formerly the seat of Henry Spicer, Bishop of Norwich. This house, with its grounds, he, "by several improvements, rendered a delightful place," says Morant.¹ It stood on a high ground about a mile from Stapleford church, overlooking the narrow remnant of Hainault Forest, which in the Judge's time spread far around. The original mansion is supposed to have been built in the sixteenth century. Wright, in his history of Essex, mentions that the ornaments of wood, and the date 1571, lead to that conclusion. He adds, "there are also several Proverbs and moral sentences on panels near the ceiling (in one of the rooms), and well-executed portraits of the Family of Fortescue have been preserved." Soon after the death of the second and last lord, Knollshill was sold, in 1782, to the Rev. Edward Lockwood, whose descendants became Lockwood-Percival, and it now (in 1865) is the property of Colonel Mark Wood.

It is now many years since the greater part of the mansion was pulled down, the remainder being used as a farm-house. This, too, including the old room just mentioned, was lately (about 1861 or 1862) demolished, and the pictures dispersed by auction in 1863. Three of them, namely, a good portrait in the style of Sir Godfrey Kneller, of Dormer, second Lord Fortescue, a portrait of the first lord, and one of Lady Fortescue, his second wife, I have been enabled to obtain from their purchasers in the neighbourhood.

The last traces of the house have now disappeared. In May, 1864, while I was on the spot, workmen were employed in taking up the brick foundations, of which a few still remained close to the new brick farm-house.

From thence, on the occasion mentioned, I went about half a mile down a steep waggon-track through the patch of forest below Knollshill, where, in the valley half-way to the opposite height on which the church stands, is an old charity school house. Here the master receives 25*l.* yearly from the endowment. His scholars consisted of about thirty boys. Over the door of the house is the following inscription:—

"Glory to God.

Knolls-Hill Free School for teaching poor children to read and write, erected and endowed at the sole expense of Sir John Fortescue of Knoll-Hill, in this parish, Knight, formerly Solicitor-General to King George II., sometime Baron of the Exchequer, afterwards a Judge

¹ Morant's Essex, i. 172.

of the Common Pleas, Doctor of Laws, and Fellow of the Royal Society, in the year of our Lord Christ, 1734, in the reign of the same most excellent Prince."

Dormer, the second Lord, never married. He died in 1781, and was buried with his parents in Stapleford church. On the north wall of the porch there is a small tablet, with the following inscription :—

"Near this place are deposited the mortal remains of the Right Hon^{ble}. Dormer Fortescue-Aland, Baron Fortescue of the Kingdom of Ireland, who departed this life on the 9th day of March, 1781, in the 59th year of his age.

"His Lordship was the only son of Sir John Fortescue-Aland, Lord Fortescue of Credan, some time one of the Justices of the Court of Common Pleas, by Elizabeth, his second wife, daughter of Robert Dormer, Esquire, one of the Justices of the Court of King's Bench. John, Lord Fortescue, died in December, 1746, and Elizabeth, Lady Fortescue, his wife, in April, 1748, and their remains are buried in this church.

"The first wife of the said John, Lord Fortescue, was Grace, daughter of the late Lord Chief-Justice Pratt, and by her he had two sons and a daughter, who all died before their father."

The estates of Lord Fortescue of Credan passed, under the will of the first Lord, to the heir of Earl Clinton, who was Lord Fortescue of Castlehill; and the Aland property is still possessed by the present Earl Fortescue, as he has informed me.¹

APPENDIX TO CHAP. IX.

A.

Inquisition upon the Death of Martin Fortescue.

Inquisition post mortem, 12 Edw. IV. N^o. 39. May 12th, 1472.

INQUISICIO capta apud Torington magna in Comitatu predicto duodecimo die Maii Anno Regni Regis Edwardi quarti duodecimo, coram Johanne Perpons Escaetore dicti domini Regis in Comitatu predicto, virtute brevis ejusdem domini Regis eidem Escaetori directi et huic Inquisitioni confuti per sacramentum Humfridi Courtenay armigeri, Roberti Budokyfhyde arm. Johannis Speccote, armigeri, Willelmi Merwode, Ricardi Spenser, Thome Broune, Henrici Southcote, Willelmi Yeo de Atte-worthy, Johannis Colvine, Johannis Paslew, Willelmi Cruys, Walteri Bruggeman et Johannis Stephen, Qui dicunt super sacramentum suum quod *Johannes Fortescue miles et Isabella uxor ejus fuerunt* feisiti de manerio de Combe cum pertinentiis et quatuor mesuagiis, uno columbario, tribus gardinis, sex Ferlingis terre quinque acris prati, duodecimo acris bosci et viginta et septem solidatis et octo denariis redditus et redditu unius cere de cera precii duodecim denariorum et unius libra cere cum pertinentiis

¹ Letter from Lord Fortescue, Nov. 6, 1865.

in Holbeton, Overcombe, Nythercombe, Battok-kyfborough, Efford et Alfton in Comitatu predicto, videlicet, idem *Johannes Fortescue* in dominico suo ut de feodo et eadem *Isabella* ad terminum vite sue. Et sic inde seifitus per quandam finem in Curia Henrici sexti nuper de facto et non de jure Regis Anglie, anno regni sui tricesimo quarto coram Johanne Pryfott et sociis suis Justiciariis ejusdem Regis de Banco et aliis tunc ibi presentibus de eisdem manerio tenemento et redditu inter *Martinum Fortescue* et *Elizabetham uxorem ejus* querentes, et dictos *Johannem Fortescue* milite et *Isabellam uxorem ejus* deforcientes levatam, idem *Johannes Fortescue* idem *Johannes Fortescue* et *Isabella* concesserunt predictis *Martino et Elizabeth* predictum manerium, tenementum et redditum, cum pertinentiis, et illa eis reddiderunt in eadem Curia, habendum et tenendum eisdem *Martino et Elizabeth* absque impetitione vasti de eisdem *Johanne Fortescu* et *Isabella* et heredibus ipsius *Johannis* tota vita ipsius *Elizabeth*. Reddendo inde per annum unam rosam ad festum Nativitatis Sancti Johannis Baptiste pro omni servicio consuetudine et exactione ad predictos *Johannem et Isabellam* et heredibus ipsius *Johannis* pertinentibus. Et post decessum ipsius *Elizabeth* predictum manerium, tenementum et redditus cum pertinentiis integre remaneant predicto *Martino* et heredibus quos idem *Martinus* de corpore predictae *Elizabeth* procreaverit. Tenendum de prefatis *Johanne Fortescue et Isabella* et heredibus ipsius *Johannis* per predictum servitium sicut predictum est imperpetuum. Et si contingat quod idem *Martinus* obierit sine heredibus de corpore predictae *Elizabeth* procreatis tunc post decessum ipsius *Martini* predictum manerium, tenementum et redditus cum pertinentiis integre revertentur ad predictos *Johannem et Isabellam* et heredes ipsius *Johannis Fortescu* imperpetuum, virtute cujus finis iidem *Martinus et Elizabetha* ut in jure ejusdem *Elizabeth* fuerunt inde seifiti in dominico suo ut de libero tenemento. Et postea dicta *Isabella* obiit. Et etiam dicunt quod eadem manerium tenemento et redditus tenentur de predicto *Johanne Fortescu* milite per fidelitatem et redditum dicte Rose pro omnibus serviciis et demandis. Et ulterius dicunt quod iidem *Martinus et Elizabetha* seifiti fuerunt ut in jure ejusdem *Elizabeth* in dominico suo ut de feodo de manerio de Weregiffard ac de advocacione ecclesie Sancte Trinitatis de Weregiffard eidem manerio pertinente. Et de manerio de Estbokelond ac de advocacione ecclesie Sancti Michaelis Archangeli eidem manerio pertinente. Et de manerio de Fillegh ac de advocacione ecclesie beate Marie eidem manerio pertinente. Et de maneriis de Lamertone, Bokelond Fillegh et Brodebray. Ac de duabus mesuagiis et centum acris terre cum pertinentiis in Hertelegh. Et de tribus mesuagiis et ducentis acris terre cum pertinentiis vocatis Londesyende juxta Criditon. Et de quatuor mesuagiis et tricentum acris terre cum pertinentiis in Bredewicke yerde et Fen. Et de duabus mesuagiis et sexaginta acris terre cum pertinentiis in Bredewike yerde et Mukford. Et ulterius dicunt quod dictum manerium de Weregiffard tenetur de Georgio Duce Clarencie per fidelitatem pro omnibus serviciis. Et quod idem manerium valet per annum in omnibus exitibus suis ultra reprisas xx^{li}. Et quod dicta advocacio ecclesie de Weregiffard predicta nichil valet per annum ultra reprisas. Et quod dictum manerium de Estbokeland cum suis pertinentiis tenetur de Anna, Ducissa Exonie per servitium militare. Et quod idem manerium valet per annum in omnibus exitibus suis ultra reprisas C^s. Et quod dicta advocacio ecclesie de Estbokelond predicta nichil valet per annum ultra reprisas. Et quod dictum manerium de Fillegh cum suis pertinentiis tenetur de dicto Georgio, Duce Clarencie ut de honore suo de Okehampton per servitium militare. Et quod idem manerium valet per annum in omnibus exitibus suis ultra reprisas x^{li}. Et quod dicta advocacio ecclesie de Fillegh predicta nichil per annum ultra reprisas. Et quod dictum manerium de Lamerton tenetur de dicto Georgio Duce Clarencie ut de honore suo de Plympton per fidelitatem pro omnibus serviciis. Et quod idem manerium valet per annum in omnibus exitibus suis ultra reprisas xx^{li}. Et quod dictum manerium

de Bokelond Filleghe ac dictæ terræ et tenementa in Hertlegh tenentur de dicta Ducissa Exonie per servicium militare. Et quod idem manerium terre et tenementa valent per annum in omnibus exitibus suis ultra reprisas xⁱⁱ. Et quod dictum manerium de Brodebray tenetur de Fulcone Fitz-Waren per fidelitatem pro omnibus serviciis. Et quod idem manerium valet per annum in omnibus exitibus suis ultra reprisas xⁱⁱ. Et quod dictæ terre et tenementa vocate Londefyende tenentur de Johanne Arundell milite per fidelitatem pro omnibus serviciis. Et quod valent per annum in omnibus exitibus suis ultra reprisas iiiijⁱⁱ. Et quod dictæ terre et tenementa in Bredewike yerde et Fen tenentur de Johanne Cholewill per servicium militare. Et quod valent per annum in omnibus exitibus suis ultra reprisas iiiijⁱⁱ. Et quod dictæ terre et tenementa in Mukford tenentur de eodem Johanne Cholewill per fidelitatem pro omnibus serviciis. Et quod valent per annum in omnibus exitibus suis ultra reprisas xli^s. Et ulterius dicunt quod idem *Martinus* nulla alia neque plurima terras seu tenementa tenuit de dicto domino Rege nunc nec de aliquo alio in dominico neque in servicio in Comitatu predicto die quo obiit. Et quod idem *Martinus* obiit in festo Sancti Martini in Yeme ultimo preterito et dicta *Elizabetha* eum supervixit et ad huc superstites est et seiscitam existit de omnibus maneriis, mesuagiis, terris, tenementis redditibus et advocationibus predictis cum suis pertinentiis in forma predicta. Et quod quidem *Johannes Fortescu* est filius et heres dicti Martini propinquior. Et est etatis duodecim Annorum et Amplius. In cujus rei testimonium Juratores predicti presentibus figilla sua apposuerunt.

B.

Lord Fortescue of Credan's Diploma of D.C.L. Oxford.

CANCELLARIUS, Magistri et Scholares Universitatis Oxon. omnibus ad quos presentes literæ pervenerint Salutem in Domino Sempiternam. Cum eum in finem Gradus Academici a Majoribus nostris prudenter instituti fuerint, ut viri de Academicâ, de Ecclesiâ, de Principe, de Republicâ optime meriti, seu in gremio Nostræ Matris educati, seu aliunde bonarum artium Disciplinis eruditi, Istis Insignibus a Literatorum vulgo fecernerentur; sciat quod Nos, eâ solâ quâ possumus viâ, Gradu Doctoris in Jure Civili libenter studiossequ; concessio, testamur quanti facimus Johannem Fortescue Militem e Curia Communium Placitorum Justiciarium Juris-peritissimum, mirâ semper in has Musarum sedes benevolentiam propendentem, nec minorem inde reportantem; Virum perantiquâ Illius Johannis Fortescue Militis, qui regnante Henrico Sexto, Summi Justiciarii Officium, tantâ cum dignitate per viginti annos implevit, stirpe ortum; et quod pluris æstimamus, ad Magni sui Antecessoris exemplum se feliciter ubique componentem, sive cum eo in scriptis Leges Angliæ eleganter collaudit, sive Monarchiam justis limitibus conclusam Absolutæ præponat, sive iis artibus qua optimum quemque ornant Judicem, audiendi lenitate, explicandi scientiâ, æqualitate decernendi mirifice excellat; Virum quem pari cum sit industriâ, pari exercitatione, pari ingenio uberiori fortasse Doctrinâ locupletato, pari erga Patriam amore, erga Principem fide parem etiam Honoris gradum consecuturum non dubitamus; Virum denique cui non satis esse videtur, relictam a Majoribus gloriam, et Domesticam laudem tueri, nisi et hoc proprium suæ Familiæ Decus astruat, ut dum Amplitudini, et Privilegiorum Incolumitati suæ Curie prudenter consulit, idem pro singulari sua moderatione et Abstinencia, Jura concessa Nostræ Nobis non invideat.

Idcirco in Solenni Convocatione Doctorum, Magistrorum Regentium, et non Regentium quarto die Mensis Maii Anno Domini Millefimo Septingentesimo tricesimo tertio habitâ, conspirantibus omnium suffragiis, Eundem Honorabilem et Egregium Virum Johannem Fortescue Militem Doctorem in Jure Civili creavimus et constituimus; Eumque virtute præsentis Diplomatis Singulis Juribus, Privilegiis et Honoribus Gradui isti qua qua pertinentibus Honoris Causa, frui et gaudere jussimus.

In cujus rei testimonium Sigillum Universitatis Oxon', commune quo hac in parte utimur, præsentibus apponi fecimus.

Dat' in Domo Nostræ Convocationis Anno Dnⁱ die et Mense prædict.'

CHAP. X.

The Fortescues of Buckland-Filleigh.

HAVING in the foregoing pages traced the posterity of the Chancellor through his eldest grandson, John Fortescue, we shall now go back to his younger grandson, William, second son of Martin, to follow the fortunes of that branch, which, although extinct in the male line as to its main stem, is continued, certainly by the junior branch of which the writer of these memoirs is the representative, and probably by others which have escaped his search. Their Devonshire estates have, however, all passed away by sale since the beginning of the present century.

William Fortescue, second son of Martin Fortescue and Elizabeth Denzill, inherited, at his mother's death, the manor and mansion of Buckland-Filleigh.¹ He married Maud, daughter and heir of John Atkyns, Esquire, of Milton-Abbot, in Devonshire, and by her had issue three sons, John, Edmund, and James, and one daughter, Jacquetta, who married William Dennis, of Southcombe, Esquire.

John, the eldest son, succeeded to the estates on his father's death. He married Christian, daughter of John Arcott, of Hollesworth, Esquire, and had issue, 1st, William, 2nd, John; and a daughter, Alice, married to William Farry, Esquire. William, the eldest son, succeeded his father. He married, in 1555, Anne, daughter of Sir Roger Giffard, of Brightley, near South Molton, in the parish of Chittlehampton, the seat of a younger branch of the ancient family of the Giffards of Halsbury. The mansion and chapel of Brightley are now in ruins, a farm-house occupying part of the former; and the park is broken up. The issue of their marriage was four sons and eight daughters, of whom presently. By his will, dated 15th April, 1580, and proved 6th April, 1583, he leaves his manor and lands "within the parish of St. Peter's, Marland," to his three younger sons, Faithful (afterwards Sir Faithful), Martyn, and Bartholomew; bequeathing Buckland-Filleigh to his eldest son, John, and his heirs. He died in 1580.

The second son of this William Fortescue and Anne Giffard was Sir Faithful Fortescue, born about the year 1512, "distinguished for his eminent abilities," says the *Biographia Britannica*.² He served in the army in Flanders for several years, and, when the Spanish invasion was threatened, received, in the year 1588, a commission from Queen Elizabeth to raise men and arms for the camp at Tilbury, and he was knighted by the queen. He wrote the memoirs of his family, which he left behind him; and his grandson continued them to

¹ Lysons's Correspondence, MS. letter from Mr. Inglett Fortescue.

² iii. p. 1999.

the year 1718. No trace of these records, however, can now be found. He lived to be upwards of ninety-six years old, dying about the year 1608. One of his daughters, of whom he had several, lived to be 102. Sir Faithful's sons were three—John, the eldest, who was of Northam, in Devon, and died about 1662, leaving issue; Faithful, the second; and Arthur, the third. Of these, Faithful¹ entered the army, and, like his father, distinguished himself while serving in Flanders. After his return from abroad, he went into Ireland on a visit to his cousin, Sir Faithful Fortescue, the governor of Carrickfergus; and it is mentioned, as a proof of his military knowledge, that being present at a mustering of the army, both horse and foot, on the Curragh of Kildare by the Duke (at that time Marquis) of Ormonde, he was allowed at the request of his cousin, to draw up and form the whole army in order of



BUCKLAND-FILLEIGH CHURCH.

battle, which he performed so well that the duke gave him a captain's commission in the field. He afterwards became a lieutenant-colonel, and was present on the Royal side at several of the battles in the great Civil War.

After the Restoration he was reinstated by Charles II. in the post which he had held under the king his father, and died aged eighty-two. Colonel Faithful Fortescue left a son of his own name, who held a commission in a foot company, under Sir Thomas Fortescue of Dromiskin, in the army in Ireland, and died a lieutenant in 1679. This lieutenancy was given by the Duke of Ormonde to a kinsman of the deceased lieutenant, William Fortescue, second son of the afore said Sir Thomas. The original commission is in the possession of the

¹ Lodge, Peerage of Ireland.

author. Bartholomew, the youngest son of William Fortescue of Buckland-Filleigh by Anne Giffard, is thus mentioned in his nephew's, Sir Faithful, memoir of Lord Chichester : —“ He (Lord Chichester) went first into Ireland, taking with him, for companion, Bartholomew Fortescue, my father's younger brother, whom he much loved, and he being, as I have heard his lordship say, very good company, a valiant strong man, and one of the best wrestlers of those times. They stayed awhile with Sir George Bouchier, who was then Master of the Ordnance in Ireland, and son of the Earl of Bath, and father of this earl, a noble gentleman. They had been actors, with other young gentlemen, of a youthful rash trick in England, and when their friends had obtained their pardon of Queen Elizabeth, they returned to England. Soon after my Lord Chichester, who was then but Master Chichester, adventured abroad for advancement, and Fortescue turned sea-captain,¹ and died in that employment.”

We now return to John Fortescue of Buckland-Filleigh, the eldest son of William Fortescue by Anne Giffard. He married twice ; first, Anne, daughter of Walter Porter, Esquire, of Thetford in Norfolk, by whom he had one son, Roger. His second wife was Sufannah, daughter to Sir John Chichester of Raleigh near Barnstaple, and sister to Sir Arthur Chichester, afterwards Lord Chichester of Belfast, Lord Deputy of Ireland. This lady bore him two sons, John, who died unmarried, and Faithful, afterwards Sir Faithful, of whom hereafter ; and two daughters, Grace and Anne.

John Fortescue died in 1604,² and was succeeded by his eldest son, Roger, who married Mary, daughter of Richard Norleigh of Inwardleigh, and died in 1629,³ leaving four sons and five daughters, whose names are given in the Pedigree. Of these the eldest son was John, of Buckland-Filleigh, entered at the Inner Temple, May 3, 1619, though never called to the bar,⁴ who married Thomazin, daughter of Humphrey Prideaux, eldest son of Sir Nicholas Prideaux of Solden, by whom he had five sons,⁵ William, James, Roger, Humphrey, and John. John Fortescue died June 7, 1665, aged fifty-nine. His monument is in Buckland-Filleigh Church, with rather pretentious inscriptions in English and Latin. One of the latter runs thus :—

“ Præclarioſe Fortefcutorum Tribu
En hic ſepultus Armiger
Nunc dormit, at tuba cum ſonabit ultima
Exurget iterum ad gloriam.”

His second son, James, born in 1625,⁶ was settled at Ford in the parish of Milton-Abbot ;

¹ That is to say, captain of a queen's ship.

² See John Fortescue's Will in tem. Fort.

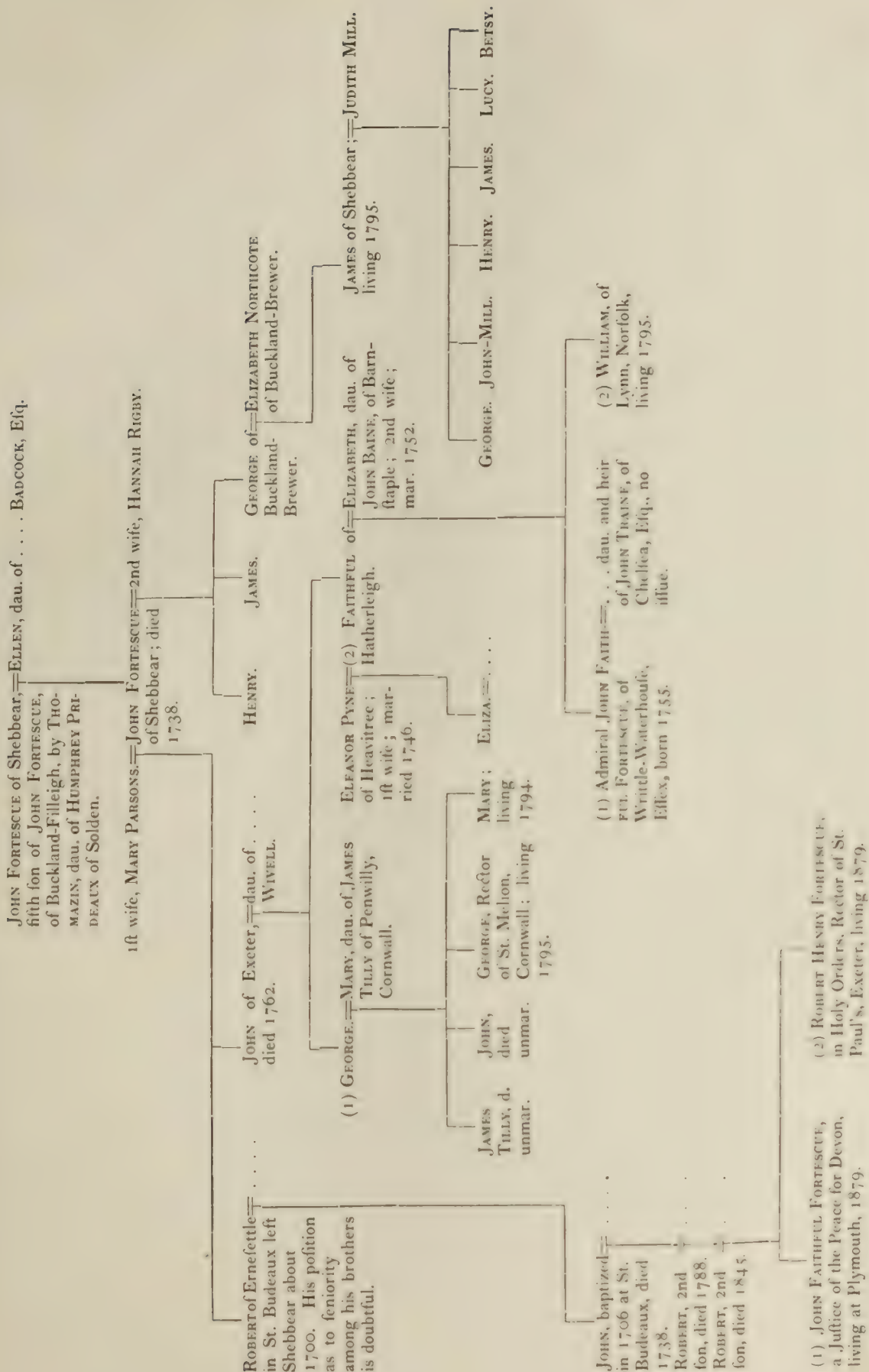
³ Stemmata.

⁴ Stemmata Fortescuana, and his Will, proved May 5, 1604.

⁵ See Inner Temple Records.

⁶ Bap. Dec. 18, 1625.

FAMILY OF SHEBBEAR.



N.B.—The foregoing pedigree is taken from Stemmata Fortescuana, excepting the account of Robert Fortescue, of Erncottle, and his descendants, which is from information received from Mr. John Faithful Fortescue, of Plymouth, in 1879

he left a son, George, whose son, James Fortescue, D.D. of Exeter College, Oxford, became rector of Wotton in Northamptonshire. He left behind several literary productions;¹ the principal being two volumes of "Essays Moral and Miscellaneous," published in London, in 8vo., in 1759, including a poem called "Pomery Hill," first published separately in 1754; it was "humbly addressed to his Royal Highness the Prince of Wales;" also three descriptive poems, two of them on Castlehill, and one on "Devonia." Doctor Fortescue was a Fellow of Exeter College; he took his degree of B.A. October 14, 1736, of M.A. June 22, 1739. He was Senior Proctor of the University in 1748; B.D. April 11, 1749; and D.D. January 20, 1749-50.

He died unmarried in 1777, and his library was sold in 1779. I am indebted to the writer in "Notes and Queries," at the place referred to in the foot note, for most of this information.

His works, which, to judge from contemporary opinions, have no great value, are seldom met with in libraries.

We return to William, the eldest son of John Fortescue by Thomazin Prideaux. He was born in 1622, and succeeded to his father's estate; he married Emlyn, daughter of — Troffe, Esquire, and had issue three sons, Henry, Roger, and George. At his death, in 1679, he was succeeded by the eldest son, Henry, born in 1659, married to Agnes, daughter of Nicholas Dennis of Barnstaple, Esquire, and died in 1691, leaving an only son William, afterwards Master of the Rolls.

Henry Fortescue's monument in Buckland-Filleigh Church describes him as one whose early death was regretted; its inscription, which follows here, is in better taste than the greater part of such productions.

Desideratiss. HEN. FORTESCUE

Armig. qui obiit Decem^r die nono

An . Dom. 1691, Æta^s. suæ 33^o.

Miri indoles juvenus præmatura

Brevioris ævi præcones.

Hunc non longævum fore prænunciant :

Sed annos antevertit virtute,

Morum gravitate senex ;

Et quorsum in agro esset cum maturat seges,

Aut in mari navis, quæ portum appulit.

Hic maturus cælo, et confecto feliciter cursu reconditur

Diuturnior fieri, vix poterat melior,

Sat tibi et gloria, nobis heu ! quantillum vixiti.

¹ Watts' Bibliotheca Britannica. Davidfon's Bibliotheca Devonienfis. Supplement Notes and Queries, April 30, 1864, 3rd series, vol. v. Monthly Review, vol. vi. 1752, and vol. xxi. 1759.

THE RIGHT HONOURABLE WILLIAM FORTESCUE.

William Fortescue, the only son of Henry Fortescue of Buckland-Filleigh, by Agnes Dennis, was born in the family mansion there in 1687, and was baptized on the 26th of June in that year. Three years later his father died, at the early age of thirty-three, leaving his son an infant of three years old. We know nothing of his boyhood, and do not hear of his place of education, either school or college. There is no record of him in either the Oxford or the Cambridge lists of graduates. His name first occurs at the beginning of his twenty-third year, as marrying his distant kinswoman Mary Fortescue of Fallapit, who, by the death of her brother Peter¹ in 1707, had become a co-heiress of her father, Edmund Fortescue of that place. This lady was two years younger than himself, she having been born in 1789.² The marriage took place at the church of East Allington, July 7, 1709,³ and he lived with his wife at Buckland-Filleigh, where, on the 16th of July in the next year (1710), their first and only child, a daughter, was born; the young mother surviving its birth not many days. She was buried on the 4th of August at East Allington,⁴ the parish in which Fallapit is situated, where her death on the first of that month is recorded on a mural tablet erected to the memories of her father and mother, and six of their children, which I observed in the church there—a church abounding in Fortescue memorials—on the 17th of June, 1879.

Soon after this event William Fortescue settled in London, having determined to follow a learned profession. This decision, and the steadiness with which he adhered to it, must be taken as proofs of an energetic mind anxious to excel; for he had inherited a fair estate, on which his forefathers had contentedly lived for many generations as country squires, and his marriage and the birth of his child held out the prospect of a further accession of property hereafter.

In September of this year he entered the Middle Temple,⁵ where he kept his terms for four years; changing to the Inner Temple in November, 1714, whence he was called to the bar in July, 1715.⁶

How much of his time he devoted to his law studies we cannot say, but he soon began to mix with the wits and clever men and women who adorned the first half of the last century. In 1714⁷ he was already on familiar terms of friendship with Pope, his contemporary, he being only a year older than the poet. This intimacy and correspondence lasted until the death of the latter in 1744, and has caused William Fortescue's name to be

¹ Stem. Fort.² Stem. Fort.³ Stem. Fort., E. Allington Monuments, p. 50.⁴ East Allington Registry and Monuments in Stem. Fort.⁵ Buckland-Filleigh Registry; Stem. Fort.; and Records of Inner Temple.⁶ Fofs, Lives of Judges, vol. viii.⁷ Pope to Gay, 1714. Works, x. 32-33.

still remembered. The first dated letter from Pope which has been preserved bears the date of 1720; but we find him afterwards asking his friend "to send what letters you have been so partial to me as to keep especially of an early date, before the year 1720,"¹ adding "I may derive great service from seeing them in the chronological order; and I find my collection, such as it is, must be hastened, or will not be effectual."

As some details of Fortescue's life are to be gathered from Pope's letters to him, several of them are here given:—

Letters from Alexander Pope to the Right Hon. William Fortescue, M.P.

Sept. 17.²

THE gaiety of your letter proves you are not so studious of wealth as many of your profession are, since you can derive matter of mirth from want of business. You are none of those lawyers who deserve the motto of the devil, "*Circuit quærens quem devoret.*" But your *circuit* will at least procure you one of the greatest of temporal blessings, *health*. What an advantageous circumstance is it, for one that loves rambling so well, to be a grave and reputable Rambler; while (like your fellow-circuiteer, the *fun*) you travel the round of the earth, and behold all the iniquities under the heavens? You are much a superior genius to me in rambling; you, like a pigeon (to which I would sooner compare a lawyer than to a hawk) can fly some hundred leagues at a pitch; I, like a poor squirrel, am continually in motion, indeed, but it is about a cage of three foot; my little excursions are but like those of a shop-keeper, who walks every day a mile or two before his own door, but minds his business. Your letter of the cause lately before you, I could not but communicate to some ladies of your acquaintance. I am of opinion, if you continued a correspondence of the same sort during a whole circuit, it could not fail to please the sex better than half the novels they read. There would be in them what they love above all things, a most happy union of truth and scandal. I assure you the Bath affords nothing equal to it. It is, on the contrary, full of *grave and sad* men: Mr. Baron S., Lord Chief-Justice A., Judge P., and Counsellor B., who has a large pimple on the tip of his nose, but thinks it inconsistent with his gravity to wear a patch, notwithstanding the precedent of an eminent judge.

I am, dear Sir, yours, &c.

Sept. 10, 1724.

DEAR SIR,

I heartily thank you for yours; and the rather, because you are so kind as to employ me, though but in little matters; I take it as an earnest you would do so in greater.

As to the house of preparation for the small-pox, why should it not be my own? It is entirely at your service; and I fancy two beds, or three upon necessity, (besides, your servants may be disposed of in the next house to me), will amply furnish your family.

It is true the small-pox has been in Twitnam, but is pretty well gone off. I cannot find any village

¹ Pope to W. F., Letter 47, August 2, 1735.

² This is an early letter, probably written when Pope was at Bath, in 1714.

more free from it so near London, except that of Peterham, where I hear it has not been ; but I will further inform myself upon your next notice.

As to the receipt of Sir Stephen Fox's eyewater, which I have found benefit from, it is very simple, and only this : take a pint of camphorated spirit of wine, and infuse therein two scruples of elder flowers. Let them remain in it, and wash your temples and the nape of your neck, but do not put it into your eyes, for it will smart abominably.

When you have taken breath for a week or two, and had full possession of that blessed indolence which you so justly value, after your long labours and peregrinations, I hope to see you here again ; first exercising the paternal care, and exemplary in the tender offices of a paterfamilias, and then conspicuous in the active scenes of business, eloquent at the bar, and wise in the chamber of council, the future honour of your native Devon ; and to fill as great a part in the history of that county for your sagacity and gravity in the laws, as Esquire Bickford is likely to do for his many experiments in natural philosophy.

I am forced to despatch this by the post, which is going, or else I could not have forborne to expatiate upon what I last mentioned. I must now only give Mr. Bickford my services, and join them to those I shall ever offer to your own family.

Believe me, dear Sir,

Your faithfullest, affectionate servant.

Gay was well five days ago at Chifwick.

TWITNAM, Sept. 17, 1724.

DEAR SIR,

Your friendly and kind letter I received with real joy and gladness, to hear, after a long silence, of the welfare of a whole family which I shall ever unfeignedly wish well to in all regards. I knew not in what part of the land to level a letter at you, or else you had heard first from me. My mother, indeed, is very ill ; but as it seems only the effect of a cold, which always handles her severely, I hope not in any danger. I am in the old way,—this day well, however, and the past and future are not in my power, so not much in my care. Gay is at Bath, with Dr. Arbuthnot. Mrs. Howard returns your services ; and Marblehill waits only for its roof—the rest finished. The little Prince William wants Miss Fortescue, or, to say truth, anybody else that will play with him. You say nothing at what time we may expect you here. I wish it soon, and thought you talked of Michaelmas. I am grieved to tell you that there is one Devonshire man not honest ; for my man Robert proves a vile fellow, and I have discarded him. “Auri sacra fames” is his crime—a crime common to the greatest and meanest, if any way in power, or too much in trust.

I am going upon a short ramble to my Lord Oxford's, and Lord Cobham's, for a fortnight, this Michaelmas ; and the hurry I am at present in, with preparing to be idle (a common case), makes it difficult for me to continue this letter, though I truly desire to say many things to you. Homer is advanced to the eighth book ; I mean printed so far. My gardens improve more than my writings ; my head is still more upon Mrs. H^d. and her works than upon my own. Adieu ! God bless you ; an ancient and Christian, therefore an unmodified and unusual salutation.

I am ever, sincerely and affectionately, yours.

TWITNAM, *Sept.* 6.

DEAR SIR,

I cannot express the joy your letter gives me. I was in great fears after I had written, learning no further of your state, when I sent three days to Mr. Thory. Your giving me these lines under your hand is a kindness I shall long remember. I hope in God your recovery increases as fast as I really wish it; one of my great apprehensions was, you might not have a skilful physician in a distant country place, of which you have eased me; I hope you keep him near or with you. I desire earnestly to hear of you soon again, though I hope the danger of a relapse is over; but surely you must not hazard cold by too quick a removal. Without pretences I have been so long and so sincerely your friend, that this alarm was a lively and deep-felt one to me. God forbid it should ever be renewed! I may now have spirits enough to quote Homer to you, who says, "A friend is better than a kinsman." Your sister, I hope is well; and as she ought to receive no harm from so virtuous an enterprize, so I trust she will have her reward complete in seeing you perfectly restored.

I am ever, dear Sir,

Your truly affectionate and faithful friend.

Is there anything at this distance that I can procure for you, or any corroborative advice that I can get for you from any of our physicians, or any business I could ease you the care of, or anything you would have said or done?

DOWN HALL, in Essex, *Jan.* 5.

DEAR SIR,

I had writ the post after my receipt of yours, but it followed me thirty miles beyond London, where I spent part of the Christmas. I yet hope this will find you, and I wish that the very next day you may begin your journey, because sincerely I cannot see you too soon. I am rejoiced that your gout left you the day after I did; may it never return! though it bring many compliments along with it: for, let my friends wish me as long a life as they please, I should not wish it to myself with the alloy of great or much pain. My Lord Dorset said very well in that case, the tenure is not worth the fine. I hope the joys of a marriage, both to those who possess, and to you who procure (modestly speaking), will obliterate all those melancholy thoughts. I wish the new couple all felicity. And pray make haste to town with the remainder of your family, and put them into the like happy condition with all speed.

Aug. 24, 1730.

DEAR SIR,

I had no sooner received your kind letter, with the ill news of your being seized with the gout at Buckland, but your clerk acquainted me that you were extremely ill, which gives me unexpressible concern. My fears of your being distant from your family, and what help by physician may be to be procured in a lone country, do sincerely much trouble me. I beg to know by the first opportunity, by a line either from yourself or any other hand, how you are; and that you are not in so much danger as I apprehended. I will add no more words, since none can tell you how much I am in

pain about you, and since they can only be troublesome to yourself, if you are very ill. But God and my own heart know with what warm affection, and wishes for your recovery, and for your every happiness and comfort, I am ever, dear Sir,

Yours.

MONDAY, April.

DEAR SIR,

I was two nights in town, and aimed at seeing you on both; but the cursed attendance on the excise bill deprived me of it, and I grumble with the rest, upon that score, at it. Your present life is labour; I hope your future will be in more repose, and that you may sleep either on the bench or off, just as you please. Twickenham will be as much at the service of my lord judge as it was of my learned counsel; and I flatter myself in the imagination that your hours and days in general will be more mine when they are more yours. Adieu! and keep my secret as long as it will keep. I think myself so happy in being approved by you, and some few others, that I care not for the public a jot.

September 13.

DEAR SIR,

I am truly glad you have safely performed your revolution, and are now turning round your own axle in Devonshire; from whence may we soon behold you roll towards our world again! I can give you no account of Gay since he was raffled for and won back by his Duchefs, but that he has been in her vortex ever since. But I think I should not in friendship conceal from you a fear or a kind-hearted jealousy he seems to have entertained from your never having called upon him in town, or corresponded with him since. This he communicated to me in a late letter, not without the appearance of extreme concern on his part, and all the tendernefs imaginable on yours.

LONDON, March 22, 1734-35.

DEAR SIR,

. I have seen your family twice; once at Mr. Jervas's, and last night at home. They are all well, except a little cold which Miss Fortescue has, but was very merry. I hope you have this week seen Buckland with pleasure, and in a state of improvement; and that you will see Fallapit with the same. Twitnam is very cold these easterly winds; but I presume they do not blow in the happy regions of Devonshire. My garden, however, is in good condition, and promises fruits not too early. I am building a stone obelisk, making two new ovens and stoves, and a hot-house for ananas, of which I hope you will taste this year. The public news and votes tell you all the business of the season. It is generally thought the Parliament will be up in the middle of April. Adieu! May success, health, and money attend you in all your circulations.

I am, faithfully and affectionately, dear Sir,

Yours.

August 23, 1735.

DEAR SIR,

I am summoned unexpectedly to Southampton, to take leave (I fear my last) of Lord Peterborough; from whence I return in a week, he going for France at the month's end. But I first take

Dr Sir

Thursday

I am heartily glad to hear
of your safe arrival in Town, and doubt not you will
be pleas'd y^t I am as safe at Trintam. I came
from y^e Bath 2 Days since hither; & find my Mo
ther tolerably well, as I hope you left all yours.
I should be glad to see you in Town, but having
been so long absent, have some necessary matters here
for a few days which I wd pursue if you could find
it suitable to y^r convenience to lye here on Friday
Day & pass y^e Sunday together. Otherwise I will
wait on you. My^t meantime pray convey this
Letter to Mr Howard, it is a Case y^t requires dis
patch, as you will see, and I beg, if you can
to favour it with any of y^e Board of Admiralty,
if you know: for I am convinc'd he is ill used. Adieu
Dear Sir, till we meet. Pray give me a line
by Bourey. I have a thousand things to say to you.

Your ever affectionate
Serv^t. A Pope.

To W^m Fortescue Esq^r
Membr of Parl^r at his
house in Bell yard;
w^t Lincolns inn fields
London

care of your house; the window is done, and the other bricked up; as to the back window, I think it will do as it is; the painters have done, and next week the upholsterer sets up the beds. I have not had one quiet day to possess my soul there in peace. I shall die of hospitality, which is a fate becoming none but a patriarch, or a Parliament man in the country. Those who think I live in a study, and make poetry my business, are more mistaken than if they took me for a Prince of Topinambou. I love my particular friends as much as if I knew no others, and I receive almost everybody that comes near me as a friend: this is too much; it dissipates me when I should be collected; for though I may be of some (not much) value to a few, yet, divided among so many, I must be good for nothing. Life becomes a mere pastime. When shall you and I sit by a fireside without a brief or a poem in our hands, and yet not idle, not thoughtless, but as serious, and more so, than any business ought to make us, except the great business—that of enjoying a reasonable being, and regarding its end? The sooner this is the case the better. God deliver you from law, me from rhyme, and give us leisure to attend to what is more important. Believe me, dear Sir, with all affection, but in great hurry, for my foot is in the coach the moment my hand is off this paper. [May all happiness wait on Buckland and Fallapit.]

Entirely yours.

September 3, 1737.

DEAR SIR,

It is long that I have not writ to you; but want of materials is a good reason for not writing at any time; and that which I never want, friendship and affection, have not much to say, though they feel much. The knowledge you will not fail, from long experience, to have of mine for you, though it has had few means to prove itself, and the opinion which, I flatter myself, you have of my being no ungrateful man to those who have proved theirs to me, will sufficiently convince you I am always thinking of and wishing well to you. I have this summer contrived to make a circuit, almost as long as yours, though less useful, from which I am not yet returned. I have been now a full month on the ramble, first to Southampton and Portsmouth, but the stormy weather prevented my design on the Isle of Wight; thence to Oxford, Cirencester, and Bath. It will be near Michaelmas before I shall see Richmond or Mrs. Blount, who went thither (as I hear by the last post) but two days ago, to enjoy the palace you left her, being much rejoiced to be at repose after a ramble she has also made. I hope Mrs. Spooner is now in perfect health, though she had been ailing when I last saw her before her journey. I hope you are all together by this time, or will about the time this letter reaches you, which comes to congratulate you on the Sabbath of your labours, and to exhort you to concert this Michaelmas some improvements of your wood, &c. at Buckland, *factura nepotibus umbras*. But cut out some walks for yourself while you yet have legs, and make some plain and smooth under your trees, to admit a chaise or chariot when you have none. I find myself already almost in the condition, though not the circumstances, of an aged judge, and am forced to be carried in that manner over Lord Bathurst's plantations. Do not be discouraged from giving me, once more at least, an account of yourself. If directed to Twickenham, it will find its way to me. Be assured I am, with old sincerity, and ever shall be, dear Sir,

Your most affectionate and obliged friend and servant.

DEAR SIR,

I am forced to write to you upon this red-lined paper, for I have not a sheet in the house beside. I sent Bowry to ask you when I might hope to see you. I really want it, for I am very near sunk in melancholy, having been full six weeks here, attending a very melancholy cure. I would otherwise have tried to fix a day to meet you at Sir R. W.'s (with his permission, and your coadjutorship). I have a particular reason to desire to know a thing, which I believe he will tell me if you ask it,—Who was author of a book called, "An Essay on the Taste and Writings of this Age," dedicated to him, as a libel upon me. I formerly sent it to Sir R. by you (as I think). Pray ask him, and assure him of my respectful services. Pray send me some paper; it is all I can get by you men in place.

I am ever, dear Sir, yours.

July 31, 1738.

DEAR SIR,

It was my intention sooner to have told you of what, I know, is the news a friend chiefly desires, my own state of health. But I waited these three weeks almost, to give you a better account than I can yet do; for I have suffered a good deal from many little ailments, that do not altogether amount to a great disease, and yet render life itself a sort of one.

I have never been in London but one day since I parted from you, when I saw Mrs. Spooner and the rest of yours; and this day I took it into my head they might be at the Vineyard. I went thither, but Mrs. Shepherd told me, in a voice truly lugubrious, that nobody had seen her walls since you were last there. I comforted her over a dish of tea, and recommended her to read Milton on all such occasions of worldly disappointments.

I should be glad to hear of any place or thing that pleases you in your progress. Lord Burlington was very active in issuing orders to his gardener to attend you with pine-apples: he goes into Yorkshire next week.

Pray remember me to Mr. Murray. You need not tell him I admire and esteem him, but pray assure him that I love him.

I am, sincerely, dear Sir, yours.

August 17, 1739.

DEAR SIR,

I was truly concerned at my return from my rambles to hear from Mrs. Blount how ill you had been; worse than you had really told me in your kind letter. I called at your house a day or two, but missed the ladies; but the servants told me they had heard twice from you, and that you was much better. I hope it proved so; and that as your journey advanced, your strength did the same. I wished to hear more of you; and now desire it that I may no longer want the knowledge how you find yourself. I dined yesterday with Jervas upon a venison pasty, when we drank your health warmly, but as temperately as to liquor as you could yourself; for neither he nor I am well enough to drink wine.

Saturday Night, *June*, 1743.

DEAR SIR,

I have twice had the ill-fortune to miss you when I went to the Rolls; the last time Mr. Solicitor and I were together; and now that he and I are at Twickenham (for one day only), my Lord Bolingbroke happens to be so, which hinders us from seeing you. I shall be in town again in two or three days, and hope then to dine and sup with you. I am really troubled to meet you so rarely, as I preserve the memory of so many hours and days formerly passed together; and am, with that sort of truth which was to be found in old-fashioned friendships, dear Sir,

Your faithful and ever most affectionate servant,

A. POPE.

From John Gay to Right Hon. William Fortescue.

Sept. 23, 1725.

DEAR SIR,

I am again returned to Twickenham upon the news of the person's death you wrote to me about. I cannot say I have any great prospect of success; but the affair remains yet undetermined, and I cannot tell who will be his successor. I know I have sincerely your good wishes upon all occasions. One would think that my friends use me to disappointments, to try how many I could bear; if they do so, they are mistaken; for as I do not expect much, I can never be much disappointed. I am in hopes of seeing you in town the beginning of October, by what you write to Mr. Pope; and sure your father will think it reasonable that Miss Fortescue should not forget her French and dancing. Dr. Arbuthnot has been at the point of death, by a severe fit of illness, an imposthume in the bowels; it hath broke, and he is now pretty well recovered. I have not seen him since my return from Wiltshire, but intend to go to town the latter end of the week.

I have made your compliments to Mrs. Howard this morning. She indeed put me in mind of it, by inquiring after you. Pray make my compliments to your sisters and Mrs. Fortescue; Mr. Pope desires the same.

Yours most affectionately,

J. G.

In Pope's imitation of a satire of Horace he substitutes Fortescue for Trebatius,¹ and thus addresses him at the beginning:—

“Tim'rous by nature, of the rich in awe,
I come to counsel learned in the law:
You'll give me, like a friend both sage and free,
Advice, and (as you use) without a fee.”

And in one of his letters at the time (1732-33) the poet thus writes:—

“Have you seen my imitation of Horace? I fancy it will make you smile; but though when first I began it I thought of you, before I came to end it, I considered it might be too

¹ Horace, Satires, Book ii. Satire 1.

ludicrous, to a man of your situation and grave acquaintance, to make you Trebatius, who was yet one of the most considerable lawyers of his time, and a particular friend of a poet. In both which circumstances I rejoice that you resemble him, but am chiefly pleased that you do it in the latter."

William Fortescue was the person addressed by the poet Gay in his "Trivia" in the following lines:—

"Come Fortescue, sincere, experienced friend,
Thy briefs, thy deeds, and e'en thy fees suspend,
Come, let us leave the Temple's silent walls,
Me business to my distant lodging calls;
Through the long Strand together let us stray,
With thee conversing I forget the way."

His name occurs in many memoirs of the time; and it is evident that he lived in the most intellectual society of the day, with Pope, Swift, Gay, Lady Suffolk, Lady Mary W. Montague, Atterbury Bishop of Rochester, Lord Oxford, Arbuthnot, Congreve, &c. He was also in constant intercourse with Sir Robert Walpole; and that minister, when Chancellor of the Exchequer, to which office he was first appointed in 1715, made him his Private Secretary,¹ a connection to which he may have owed his advancement in his profession. He appears during this period to have regularly gone circuit; but Pope's letters do not contain many allusions to his practice at Westminster, which probably was never very large. At the general election which took place after the death of George I., in 1727, he was returned to Parliament as member for the borough of Newport, Isle of Wight, for which place he continued to sit until his elevation to the Bench.

In 1730 he was made a King's Counsel, and the same year was appointed Attorney-General to the Prince of Wales, father to George III.

His vacations were spent in Devonshire at Buckland-Filleigh, and he occasionally visited Fallapit.

The former seat is placed in a hilly district on the northern outskirts of Dartmoor, and commands a view of its highest points. The extensive woods of the property were improved by the Master of the Rolls in accordance with Pope's suggestion, but not with the result contemplated *factura nepotibus umbras*, for no descendants lived to enjoy their shades. Several miles of drive were carried through them, and these, with the park of three hundred acres surrounding the house, a structure enlarged and modernized since William Fortescue's time, formed, when I last visited Buckland on the 13th of June, 1879, a very pleasing dwelling place.

¹ Fofs, Lives of the Judges.



We do not find that he spoke in Parliament, but he supported by his votes Sir Robert Walpole's administration; and thus, as well as by his social qualities, having been previously made a serjeant-at-law,¹ he succeeded in obtaining a seat on the Bench, for which his respectable if not profound legal knowledge may be held to have qualified him, for he ranked, as we are told, as a "good lawyer." A vacancy occurring by the removal from the Exchequer to the Common Pleas of Sir John Comyns, he was made a Baron of the former Court on the 9th of February, in this year. Here he remained scarcely two years and a-half, following for the second time Sir John Comyns when this judge was raised to be Chief Baron on the 7th of July, 1738.

After three years more Fortescue exchanged his seat on the Bench for the more agreeable and less laborious post of Master of the Rolls, to which he was appointed on the 5th of November, 1741, and, at the same time, he was sworn as a Privy Councillor. He remained at the Rolls until his death on December 16th, 1749, in his sixty-third year. He seems to have avoided the knighthood frequently conferred upon Judges, and almost as a matter of course upon Masters of the Rolls.

The following curious circumstance has been kindly communicated to me by Mr. Alfred Horwood, of the Middle Temple. Writing on the 19th of June, 1869, he says: "A lady of a Devonshire family lately called on me, and saw your volumes. She said that her aunt, still living, and about eighty-six or eighty-seven, had told her that her mother was with Fortescue, the Master of the Rolls, just before his death, in 1749, when a white bird flew in at the window. 'Ah,' said the judge, 'have you come for me?' A tradition in the family says that a white bird appears prior to the death of a member. As a spectator told the event to a person now living, I thought you might like to know it."

It is to be regretted that so few memorials of him remain. He kept a diary, which must have contained much that would now be interesting beyond the small circle of persons of his name or family. This, as I am informed by Mr. Fortescue Brickdale, remained at Buckland-Filleigh until after the death of Mrs. Spooner, William Fortescue's only child, when it is supposed to have fallen into the hands of her husband's relations, and has not since been recovered, notwithstanding many attempts which have been made to trace it. His library and papers were finally scattered at the sale of Buckland-Filleigh by Colonel Inglett Fortescue.

Some rough notes made on the fly-leaves of a Gazetteer in ten volumes called "*Magna Britannia*," which he carried about on his circuits, are all that has been recovered.

Through Mr. Brickdale's kindness I am able to give a few of them. These, with a letter to Lady Suffolk, and four notes of no importance, are now printed, as the only specimens which we have of his writings. The latter owe their preservation to their blank sides

¹ See Fofs.

having been used by Pope for the rough copies of his Homer, and are in the British Museum.¹

I ought, however, to add his contribution to "Martinus Scriblerus." The burlesque report of the case of "Stradling *versus* Styles; or the Pyed Horfes," a witty and lively little piece still much in favour with lawyers. It will be found further on. He was chosen to be the "legal adviser" of the "Scriblerus Club,"² and besides the above, contributed several legal corrections and hints to its other papers.

Jervas writes of him as "ridente Fortescuvio,"³ and Bowles⁴ tells us that he was a man of great humour, as well as of great talents and integrity.

Fortescue, dying while in office, was buried in the Rolls Chapel; his grave is immediately in front of the communion table there, and on the wall near the place is the following inscription:—

In this Chappel lyeth buried The Right Honourable
WILLIAM FORTESCUE
Of Buckland-Filleigh and Fallapit in the County of Devon Esquire
Who having been one of the Barons of the Court
Of Exchequer and afterwards one of the Justices
Of the Court of Common Pleas, was made
Master of the Rolls the 5th day of November 1741,
And dyed the 16th day of December 1749
In the 63rd year of his age.

He never married again after the early death of his wife. His mother and his unmarried sisters-in-law, Grace and Elizabeth, lived much with him, and assisted in the care of his only child. Grace died in March, 1743.⁵ A letter of the period says, "The Master of the Rolls has lost his sister Grace. She was an exceedingly good woman, and he is very much afflicted."

Horace Walpole, in 1743, thus refers to the household:⁶—"I am just come tired from a family dinner at the Master of the Rolls, but I will write to you, though my head aches with maiden sisters' healths, forms, and Devonshire, and Norfolk."

And he adds as a note, perhaps to account for the Norfolk element, and his admission to a family party:—"William Fortescue, a relation of Margaret, Lady Walpole;" in which I imagine he is in error. Lady Walpole, it is true, was a cousin of Hugh Fortescue, Lord Clinton, but I cannot find that she was related to the Master of the Rolls.

¹ I am indebted to Mr. Moy Thomas of Oakley Cottage, Upper Cheyne Road, Chelsea, for calling my attention to these papers. Cotton MS. Plut. 4809, &c.

² Letters of Countess of Suffolk, vol. i. p. 202.

³ Bowles's Pope, x. 226.

⁴ Ibid. vi. 299.

⁵ Letter from Right Hon. Sir J. Willis, in Nichol's Literary Illustrations, vol. iv. 394.

⁶ Walpole's Letter to Sir H. Mann, May 19, 1743, Cunningham's Edition, vol. i. 247.

His other sister-in-law, Elizabeth, survived until 1768, having succeeded to the Fallapit property upon the death, in 1752,¹ without surviving issue, of her niece, Mary Fortescue, only child of the Master of the Rolls, who had inherited Fallapit from her mother, and Buckland-Filleigh from her father, and married, in 1733 or 1734, John Spooner, Esq., by whom she had an only child, Mary, who died an infant; Buckland-Filleigh passing to a cousin, John Fortescue of Bampton (son of George Fortescue of Tavistock, uncle to William Fortescue), who was the last Fortescue possessor of the estates.

*William Fortescue to Mrs. Howard.*²

INNER TEMPLE, July 1st, 1726.

MADAM,

With this you will receive the *History of the Sevarambi*,³ which I promised your ladyship. It is a constitution of government quite different from any that hath yet appeared in the world, and I think much the best. By that only instance of making money of no use either to the necessities or pleasure of life, what a train of evils are at once prevented? And how happy, of course, must a people be, when doing good and loving their country are the only means of esteem and preferment!

I am, I believe, the only person who thinks it real; and were it not for some few things, and some few friends whom I do not care to leave, I should certainly be for taking a voyage thither. Nay, I am so far gone in extravagance that, as this wise people have always persons residing in every country, I hardly see a tall man in an American dress but I take him to be one of them, and can scarce forbear asking him a hundred questions about Sporoundi and Sevarinde. I make no doubt but you will laugh heartily at me; and shall be very happy if either the book or my folly give you any diversion.

I hope to be able to do myself the honour of waiting on your ladyship some time next week: be pleased, Madam, in the meantime to accept of my humble thanks for your great goodness to me when I was last at Richmond, and give me leave to assure you that I ever am, with all possible gratitude and truth, your ladyship's, &c. &c.

W. FORTESCUE.⁴

William Fortescue to John Gay.

DEAR GAY,⁵

Not having heard anything of you to-day I suppose this may find you at Chifwick; pray give my humble service to Mrs. Pope, Mr. Alexander Pope the elder,

¹ Burke's *Commoners*, article Fortescue of Fallapit.

² Afterwards Countess of Suffolk.

³ A French Utopia, the scene of which was laid in South America.

⁴ From *Letters to and from Henrietta, Countess of Suffolk*, 2 vols. 8vo., London, 1824, vol. i. p. 202.

⁵ Pope's *Iliad Autographs*, vol. i. 4807. Plut. cxiv. B. Brit. Mus.

Mr. Alexander Pope ye younger, . . . and I'm juſt going to forget the chief end of my letter, which is yt Mr. — et has (as he ſays) got a very eaſy-going little horſe which you may have . . . 5 guineas; he rid him . . . himſelf, and ſays he knows no fault in him: ſo if you don't ſucceed with my L^d. Burlington, (you) may at leaſt with him.

My head aches. I am, your moſt affect^d.,

W. F.

William Fortescue to Alexander Pope.

DEAR SIR,

The account Bowery left at my houſe yeſterday of Mrs. Pope's continuing ill, and your being out of order likewise, gives me the greateſt uneaſineſs in the world. I would have waited on you myſelf but that I fear any company may be troubleſome.

I have ſent John to know how you both doe, and I hope he will bring me a better account than I had yeſterday.

Pray conſider how much all your friends are intereſted in your health, and how much their happineſs depends upon it, for all our ſakes, therefore, as well as for your own, let me beg you to take all poſſible care of it.

Same to ſame.

D^r. SIR,

I am very much obliged to you for your kind letter, and am glad to hear that Mrs. Pope is ſomething better.¹ Conſidering how ill ſhe is you can't expect her to recover but by degrees, and therefore you ought to hope the beſt; but, above all, let me renew my requeſt to you to be careful of your own health.

I have ſent John for the lead, and hope he will be able (to) procure ſome to ſend with this.

I am, in the greateſt haſte,

Dear Sir, Yours,

W. F.

Monday morning.

Remember me kindly to Gay.

EXTRACTS FROM JUDGE (WILLIAM) FORTESCUE'S DIARY WHILE
ON HIS CIRCUITS.

Lent Affizes, 1738-9, Oxford.

March 8.—I go to church about 10. The Vice-Chancellor waits upon us, and goes with us in ye coach.

¹ Mrs. Pope died in January, 1733.

One Mr. Perrott, formerly of Balliol College, but now Fellow of Oriel, preached a very impudent sermon, viz., that God often inflicted national punishments for the wickedness of ye King and Rulers. That this had been the fate of our nation formerly—for some of these causes our nation now mourned even unto this day. He also said that one great mischief a wicked King did his people was appointing ignorant Judges.

N.B.—We ware a pair of our gold law gloves to church.

Canterbury, July 13, 1741. 15 Geo. II.

July 14.—I got to Canterbury by 10. The Sheriff met me with his coach just within the gate. I was in my riding-gown and tye wig, and I went directly to the Town Hall where the Mayor and Recorder were in their robes. We opened the Commission and then I went to the Sheriff's house, which was inconvenient and without the town, and put on my full robes, from whence I came again to court.

N.B.—When I first came to Canterbury I was informed yt one Mr. Bell the Pltf.^r Atty. a very pert young man, had ordered a dinner at the King's Head (N.B.—this is the Whig Inn and the Red Lyon the Tory), where it seems I was to dine, and his Counsel, the Jury, and Witnesses being to dine there too. I was very angry to be treated in yt manner, and sent word I would not dine there, and ordered Deaves, C. Brackley, and my serv^{ts} to dine by themselves, pay for what they had, as well as for my horses, which they did. The Sheriff said he was very sorry the Corporation did not entertain me, for they had made an order only to get me lodgings, but that I should be welcome at his house, and said he would get me anything I would have. I desired him only to get some beans and bacon, a joint of mutton or chicken, and a tart—so I had these four dishes. Mr. Underwood dined with me. I told him I thought it the duty of the Magistrates to take care of me as I was at so much trouble in coming to do ye town Justice, and therefore whatever expense I put him to should be allowed in his cravings. He said he took it as a very great honour I would dine with him, and I was so pleased with his kindness that I ordered a guinea among the serv^{ts}; but I soon repented my generosity, for he gave a bill for my dinner (he having sent for it to the Red Lyon), for which I ordered Deaves to pay. It came to above 1*l.* 10*s.* 0*d.* and two or three bottles of wine were left. Upon which I told him and his Under-Sheriff that they need send no bill of cravings for I thought the Sheriff had been paid for everything as much as he deserved.

The Corporation had a treat for themselves at the Red Lyon.

N.B.—Joseph Green H. Sheriff,
a malster.

Joseph Sawkins Under-Sheriff.

A SPECIMEN OF SCRIBLERUS'S REPORTS.

Stradling verſus Styles.

Le Report del Cafe argue en le commen Banke devant toutes les Juſtices de meſme le Banke, en le quart an du raygne de Roy Jacques, entre Matthew Stradling, Plant. et Peter Styles, Def. en un Action propter certos Equos coloratos, Anglicé Pyed Horſes, poſt. per le det Matthew vers le dit Peter.

Le recitel. Sir John Swale, of Swale Hall, in Swale Dale, faſt by the River Swale, K^t. made his del cas. laſt Will and Teſtament : In which among other Bequeſts, was this, viz., " Out of the kind Love and Reſpect that I bear unto my much honoured and good Friend Mr. Matthew Stradling, Gent. I do bequeath unto the ſaid Matthew Stradling Gent. all my black and white Horſes."

The Teſtator had fix black Horſes, fix white Horſes, and fix pyed Horſes.

Le Point. The Debate was therefore whether or no the ſaid Matthew Stradling ſhould have the ſaid pyed Horſes by virtue of the ſaid Bequeſt.

Pour le Pl. Atkins Apprentice pour le Pl. Moy ſemble que le Pl. recouvera.

And firſt of all it ſeemeth expedient to conſider what is the Nature of Horſes, and alſo what is the Nature of Colours ; and ſo the argument will conſequently divide itſelf in a twofold way, that is to ſay the Formal Part, and the Subſtantial Part. Horſes are the Subſtantial Part, or things bequeathed ; Black and White the Formal or Deſcriptive Part.

Horſe, in a phyſical ſenſe doth import a certain Quadrupede or four-footed animal, which by the apt and regular Diſpoſition of certain proper and convenient Parts, is adapted, fitted, and conſtituted for the Uſe and Need of Man. Yea ſo neceſſary and conducive was this animal conceived to be to the Behoof of the Commonweal, that ſundry and divers Acts of Parliament have, from time to time, been made in Favour of Horſes.

1^{ſt} Edward VI. Makes the Transporting of Horſes out of the Kingdom no leſs a Penalty than the forfeiture of 40*l*.

2nd and 3rd Edward VI. Takes from Horſefealers the benefit of their Clergy.

And the Statutes of the 27th and 32nd of Hen. VIII. condeſcend ſo far as to take Care of their very Breed. Theſe our wiſe anceſtors prudently foreſeeing that they could not better take care of their own Poſterity, then by alſo taking care of that of their Horſes.

And of ſo great Eſteem are Horſes in the Eye of the Common Law, that when a Knight of the Bath committeth any great and enormous Crime, his Punishment is to have his Spurs chopt off with a Cleaver, being, as Maſter Bracton well obſerveth, unworthy to ride on a Horſe.

Littleton, Sect. 315, ſaith, If Tenants in Common make a Leaſe, reſerving for Rent a Horſe, they ſhall have but one Affize, becauſe, ſaith the Book, the Law will not ſuffer a Horſe to be ſevered ; another argument of what high eſtimation the Law maketh a Horſe.

But as the great Difference ſeemeth not to be ſo much touching the ſubſtantial Part, Horſes, let us proceed to the formal or deſcriptive Part, viz., What Horſes they are that come within this Bequeſt.

Colours are commonly of various Kinds, and different Sorts ; of which White and Black are the two Extremes, and conſequently comprehend within them all other Colours whatſoever.



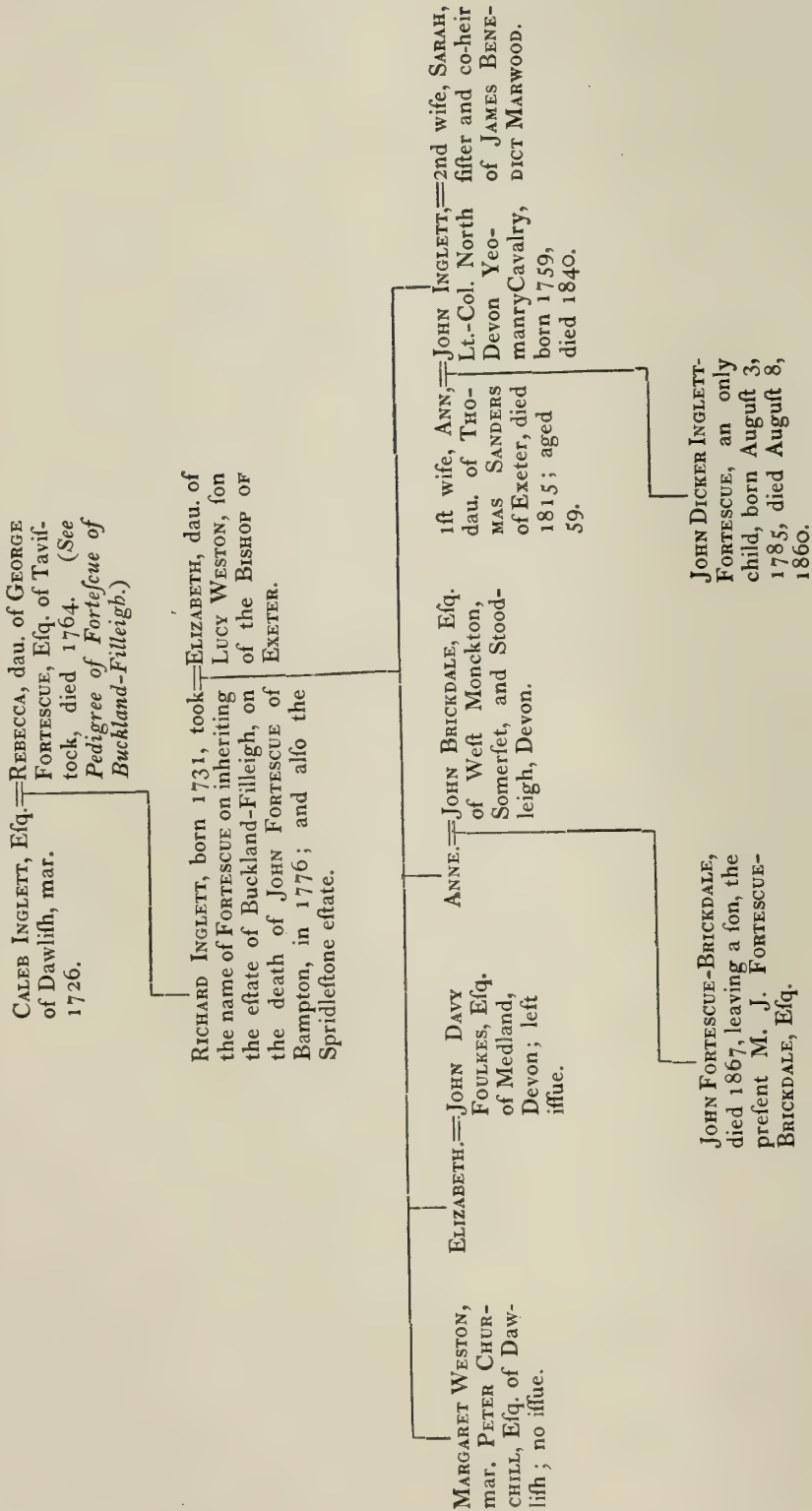
Thomas Bouverie

THE RIGHT HONOURABLE WILLIAM PERSHORE

CHANCELLOR OF THE EXCHEQUER

1741-1742

FAMILY OF INGLETT-FORTESCUE OF BUCKLAND-FILLEIGH.



By a Bequest therefore of Black and White Horses grey or pyed Horses may well pass; for when two Extremes, or remotest Ends, of any thing are devised, the Law by common Intendment, will intend whatever is contained between them to be devised too.

But the present Case is still stronger, coming not only within the Intendment, but also the very Letter of the Words.

By the word Black, all the Horses that are Black are devised; By the word White, are devised those that are White; and by the same words, with the conjunction copulative —, between them, the Horses that are Black and White, that is to say Pyed, are devised also.

Whatever is Black and White is Pyed, and whatever is Pyed is Black and White; ergo, Black and White is Pyed, and vice versa Pyed is Black and White.

If therefore Black and White Horses are devised, Pyed Horses shall pass by such Devise; but Black and White Horses are devised; ergo, the Pl. shall have the Pyed Horses.

Pour le Defend. Catlyne Serjeant. Moy semble al' contrary, The Plaintiff shall not have the Pyed Horses by Intendment; for if by the Devise of Black and White Horses, not only Black and White Horses, but Horses of any Colour between these two Extremes, may pass, then not only Pyed and Grey Horses, but also Red or Bay Horses, would pass likewise, which would be absurd, and against Reason. And this is another strong argument in Law, "*Nihil quod est contra Rationem est licitum*:" for Reason is the Life of the Law, nay the Common Law is nothing but Reason; which is to be understood of artificial Perfection and Reason gotten by long study, and not of Man's natural Reason; for "*Nemo nascitur Artifex*," and Legal Reason "*est summa Ratio*:" and therefore if all the Reason that is dispersed into so many different Heads, were united into one, he could not make such a Law as the Law of England; because by many successions of ages it has been fixed and re-fixed by grave and learned men; so that the old Rule may be verified in it, "*Neminem oportet esse legibus sapientiores*."

As therefore Pyed Horses do not come within the Intendment of the Bequest, so neither do they within the letter of the Words.

A Pyed Horse is not a White Horse, neither is a Pyed a Black Horse: how then can Pyed Horses come under the Words of Black and White Horses?

Besides, when Custom hath adapted a certaine determinate Name to any one thing in all Devises, Feoffments, and Grants, that certain Name shall be made use of, and no uncertain circumlocutory Descriptions shall be allowed; for Certainty is the Father of Right, and the Mother of Justice.

Le reste del argument jeo ne pouvois oyer, car jeo fui disturb en mon place.

Le Court fuit longement en doubt' de c'est Matter; et apres grand deliberation eu,

Judgment fuit donne pour le Pl. nisi causa.

Motion in arrest of Judgment, that the pyed Horses were Mares; and thereupon an Inspection was prayed.

Et sur ceo le Court advisari vult.

George Fortescue, the third, but second surviving son of William Fortescue of Buckland-Filleigh, by Emyln Trosse, married, in 1697, Rebecca, fifth daughter and eventually heiress of Edmond Fortescue of Spridleston, and was father to John Fortescue, who lived at Bampton, in Oxfordshire, and to Rebecca Fortescue, who married Caleb Inglett. George

Fortescue died A.D. 1700, and was buried in Tavistock Church, where there is a tablet to his memory. His son John inherited the family estates at the death, in 1752, of Mary, only child of the Master of the Rolls. He died unmarried in 1776,¹ and these estates went to the son of his sister Rebecca Fortescue, who, through her mother, had also succeeded to Spridleston.

She married, in 1726, Caleb Inglett, of Dawlish, Esq., and died in 1764, leaving, by her husband, a son, Richard Inglett, born in 1731; he married, in 1758, Elizabeth, daughter of Lucy Weston, son of Stephen, Bishop of Exeter, and succeeding to the two properties of Buckland-Filleigh and Spridleston, took, in 1776, the additional name of Fortescue. He had one son and three daughters; the son, John Inglett Fortescue, born in 1759, was educated at Oxford, and held a commission in the Royal Horse Guards (blue); he was Lieutenant-Colonel of the North Devon Yeomanry Cavalry. This gentleman was obliged, by pecuniary difficulties, to sell the ancient family property a short time before his death, which took place at St. Servan in France, on the 24th of November, 1840, in his 82nd year. The estate had descended to him by direct inheritance from Simon De Filleigh, A.D. 1154, in the reign of Henry II., through a long line of ancestors: Filleighs, Weares, Denzilles, and Fortescues.

Colonel Inglett Fortescue married, in 1788, Ann, daughter of Thomas Sanders, of Exeter, and after her death, in 1818, a second wife, Sarah, daughter and co-heir of James Marwood, Esq., of Sutton in Devonshire. By his last wife he had no issue. By Miss Sanders he had an only son, John Dicker Inglett Fortescue, born in 1785, and died in 1860. He lies buried in the family vault at Buckland-Filleigh.² At his death, without issue, the remainder of his father's property devolved upon the issue of his father's three sisters. These were Margaret Weston, who married Peter Churchill, Esq., of Dawlish in Devon, and left no issue; Elizabeth, married to John Davy Foulkes, Esq., of Medland in Devon, who left issue; and Ann, married to John Brickdale, Esq., of West Monckton in Somersetshire, and of Stoodleigh in Devonshire, who also left issue. Her eldest son, John Fortescue Brickdale, Esq., of Birchamp House, Newland, Gloucestershire, a Magistrate and Deputy Lieutenant for that county, assumed in 1861 the name and arms of Fortescue before his own.

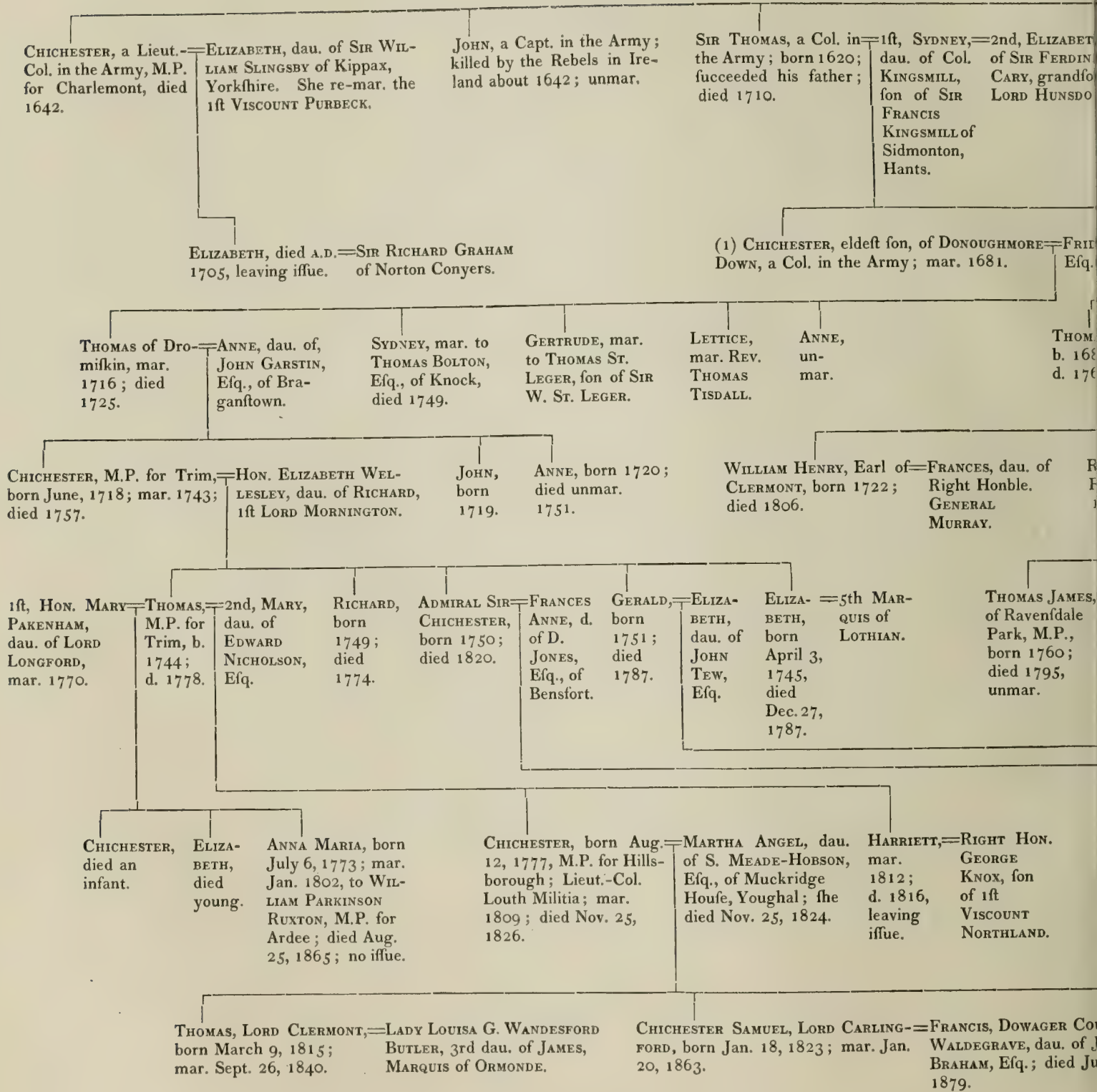
This gentleman, who, with much courtesy and kindness, gave me valuable information about this branch of the family, died in the year 1867. He was succeeded by his son, the present Mr. Fortescue-Brickdale.

¹ Pedigree in *Stemmata*, p. 20.

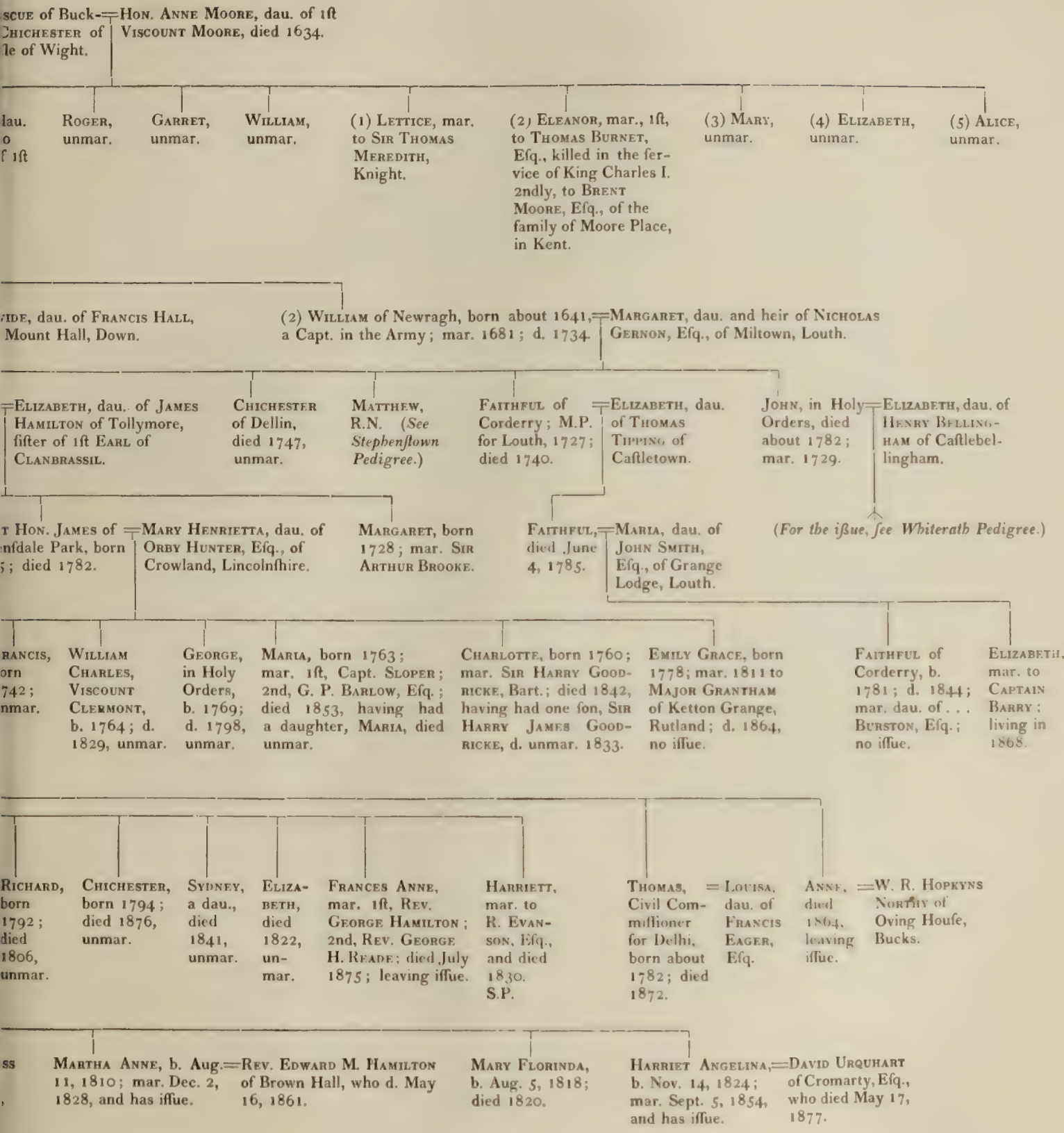
² See Inscription in Buckland-Filleigh Church.

FAMILY OF DROMISK

SIR FAITHFUL FORTESCUE, 3rd son of JOHN Fortescue, land-Filleigh, by SUSANNAH, dau. of SIR JOHN Raleigh, buried May 29, 1666, at Carisbrook.



N AND RAVENSDALE.



CHAP. XI.

The Fortescues of Dromiskin and Ravensdale.

WE now revert to a branch of the Buckland-Filleigh Fortescues, beginning with Sir Faithful Fortescue, who was passed over in his place, in order that the narrative of the elder line seated there might be carried down without interruption to its close.

It will there be found that John Fortescue of Buckland-Filleigh, who, by his first wife, was father of Roger his successor, married, as his second wife, Susannah Chichester, daughter of Sir John Chichester, of Raleigh near Barnstaple, by Gertrude, daughter of Sir William Courteney, of Powderham, and sister to Elizabeth Chichester, wife of Hugh Fortescue of Filleigh, now Castlehill. By this second marriage John Fortescue had issue two sons, John, the eldest, who died unmarried, and Faithful, the subject of this memoir; also two daughters, Grace and Anne.

SIR FAITHFUL FORTESCUE.

Sir Faithful, the second son by the above marriage, his father's third and youngest son, could hardly have been born later than 1581; for in the year 1606 he was made Constable of Carrickfergus Castle,¹ a post to which no one was likely to be appointed, in those warlike times, at an earlier age than twenty-five years. We know almost nothing of his youth; he tells us that he had his education, from coming young from school, with his uncle the first Lord Chichester, "and," he adds, "by him the foundation of my advancement, and fortune I acquired in Ireland."

Lord Chichester first went to Ireland in command of a regiment in the year 1598 or 1599, and Sir Faithful in all probability went with him; although I cannot find any mention of him earlier than that of his appointment as joint Constable of Carrickfergus, when his uncle had been two years Lord Deputy.

Sir Roger Langford, Knight, was his colleague; each of them having a fee of 3*s.* 4*d.* per day, and twenty warders, who must be Englishmen, under their command at 8*d.* per day each. Sir Faithful was afterwards sole Constable with 6*s.* 8*d.* per day fee. There were, besides the salary, large emoluments attached to the office. The Constable received the King's share of the customs of the port, and he and his warders had one hundred cows grazed

¹ See the King's Letter of October 14, 1661, in Appendix. Nov. 14th was the date of the appointment.

free by the Corporation. He had also the tithe of the best fish that were brought into the port, and a "fair lodging" in the castle. He was always a person of high rank and trust, according to M^cSkimmin, from whose history of Carrickfergus the foregoing particulars are taken. This place was also called Knockfergus. It was long the chief feat and garrison of the English in Ulster. The castle stands well on the western shore of Belfast Lough, where it is a conspicuous object.

His father, John Fortescue, died early in 1604 (his will, dated February 10, 1603, being proved on the 5th of May in that year); an event which could not have made much difference in Sir Faithful's circumstances, for he was left only the modest sum of fifty pounds; in these terms:—

"Item, I give and bequeath unto Faithfull Fortescue my son 50 pounds in money to be paid within six years next after my death."¹

To this was added, after the custom of those days:—

"Item to the said Faythfull Fortescue my son, a good feather-bed with his bolster, sheets and blankets, and also my second best gelding (the best had been left to his elder brother, John, with 50*l.* and a feather bed) with his saddle and other furniture."

The family estate charged with these two legacies, and with the comparatively large sums of 300*l.* each for his two daughters—equalling about 3000*l.* each at the present value of money—went to his eldest brother, Roger.

Soon after he was established at Carrickfergus Sir Faithful married the Honourable Anne Moore, daughter of Gerald, or Garret, first Viscount Moore, ancestor of the present Marquis of Drogheda, belonging to the family of Moor of Moor Park, in Kent. By this lady, who died September 5, 1634, and was buried in St. Patrick's Cathedral,² he had, according to Lodge, no fewer than ten sons and six daughters. Of these sixteen children five died young.

In the year 1610, 8th of James I., he obtained a patent granting "to Faithful Fortescue, Esquire, and Francis Blundell, Esquire, three parts out of four of the benefit of intrusions, and alienations without license, and concealed wardships in Cork county, the other fourth to remain with the Crown."

And on the 27th of January, 1612, another patent grants to him "the wardships of Callough, otherwise Charles O'Connor, son and heir of Daniel O'Connor, late of Sligo, Esquire, deceased."³

Such were some of the modes of rewarding the servants of the Crown at that time.

In the year 1613 a new Parliament was summoned; when many places in Ireland, beyond the English pale, returned members for the first time; among them was Charlemont

¹ John Fortescue's Will in District Registry Court of Exeter. See Appendix.

² Lodge.

³ See Repertory of the Patent Rolls of Chancery in Ireland.

in the County of Armagh, for which "Faithful Fortescue, Esquire, of Dromyskin," was chosen member on the 12th of May, 1613. This designation shows that he had already begun to live at Dromiskin, finding Carrickfergus and his Antrim manor too distant from the seat of Government at Dublin.

Dromiskin is incidentally mentioned in a contemporary narrative by Sir Edward Brereton, who thus writes: "July 8, 1635.—We left Dundalke¹ and came to Tredagh (Drogheda), which is accounted sixteen miles, but they are as long as twenty-two miles. About five miles hence, i. e. from Dundalke, we saw Sir Faithful Fortescue's house or castle wherein for most part he is resident, which he holds by a long lease upon a small rent, under my Lord Primate of Armath. This is a dainty, pleasant, healthful, and commodious seat, and it is worth unto him about ——"

This lease still continues, and Sir Faithful afterwards bought a considerable freehold estate around it, still in the family. The castle and grounds have long since disappeared.

It does not appear that he remained at this period altogether in Ireland. In 1617 he was in England, and in that year was knighted by King James. Chichester ceased to hold the reins of government in the year 1615, but Fortescue continued in his post, employed under his successors. His possessions continued to increase; in the beginning of 1618 he obtains a grant from the Crown, dated May the 30th, of the territory of Clinaghartie, and all the lands which had been granted to Rory Oge Mac Quillane, by patent of the 10th of March, 5th of James I. They were situate in the Lower Clandeboye, in the county of Antrim. The patent "erects the lands into the Manor of Fortescue, with one thousand acres in demesne, and gives power to create tenures, to hold Courts Baron and Leet, and a monthly Court of Record; to appoint Seneschals and Bailiffs; to enjoy all waifs and strays; and to impark one thousand acres, with free warren, chase, and park." He also acquired in the same neighbourhood twenty-one townlands, forming in all a very extensive territory. The village of Galgorm stands within its bounds. The greater part of this, however, he sold within a few years' time, the licence to alienate being dated in 1624. It was sold in equal shares to two Scotchmen, namely, Mr. Edmonstone, of Dunreath, and Mr. William Adair, Laird of Kinhilt, in Galloway. The share of this last still continues in his family, and is now the property of Lord Waveney, yielding about six thousand pounds a year. Edmonstone's half, including the Manor of Fortescue, passed by inheritance to the Moore family, and was sold a few years ago by the present Earl of Mountcashel, when part of it was bought by its present owner, Lord Waveney. The Manor of Fortescue is still designated by that name.² Sir Faithful also possessed in Antrim the lands of Gortfadda,³ and other

¹ Brereton's Journey, p. 134, printed by the Chetham Society.

² For much of the foregoing information I am indebted to the Very Revd. Doctor Reeves, Dean of Armagh.

³ Inquis. Rot. Conc. Hib. Repertorium Ultonia, No. 120, Carolus I. (A. D. 1637), Antrim.

denominations not included in the foregoing territory. A rather remarkable relic of Sir Faithful's occupation of his Antrim estate came to light some years ago, namely, an ancient



seal of arms, as shown in the annexed woodcut, with the words "S. Richart Fortescu." It was found either upon or close to the former Fortescue property. The arms are those of the Norman Fortescues, viz., a bend, not engrailed, between two bendlets, quartering the arms of the English Fortescues, where the bend is engrailed. This coat implies a marriage-alliance between one of the Norman and one of the English houses. The seal has been pronounced by experts to be French of the fourteenth or fifteenth

century. Eighteen years later, in the year 1863, when examining the roll, dated A. D. 1628, of the proofs of the descent of Sir Nicholas Fortescue, already described in a previous chapter, I perceived that the seal above mentioned was identical with one figured upon that document, with an inscription below it, as follows: ¹—"Hæc figura refert figillum antiquum Familiæ Fortescutorum nuperrimè repertum a Nobilissimo viro Fideli de Fortescuto de Filley Equiti aurato inter numismata Johannis Terdeskhen Belgi qui habitat Lambeth trans Thamefin Londini." Thus in a very unexpected way the possession by Sir Faithful of the seal found in Antrim was proved and accounted for.

About the same time ² he acquired lands in Down, near to Scarva, by purchase from the native family of Maginnis. This estate, which was soon very thickly "planted" with Scottish settlers, remained in his direct descendants until the year 1827, when it was sold, during the minority of the writer of this account, by his guardians, to the late Marquis of Downshire for £68,000. The district is still known in the neighbourhood as "Fortescue Estate."

Fortescue was, in 1624, appointed to the command of a company in the contingent raised to serve under Count Mansfeldt in the Low Countries against Spain and Austria; ³

¹ It is thus in English:—"This figure represents an ancient seal of the Family of the Fortescues, lately found by Sir Faithful Fortescue of Filleigh, Knight, in the collection of John Terdeskhen (Tradescant) a Fleming, living at Lambeth beyond the Thames, in London." This collection of antiquities was afterwards placed in the Ashmolean Museum at Oxford. The seal was dug up near "the Old Battery," at Portglenone, on the 15th of January, 1845, together with some human bones and some copper coins of Louis XIII. of France, dated 1634. A wax impression from the original was sent to me by a relation of the Alexander family, the present proprietors of Portglenone, a few months after the discovery, and from it the woodcut was made. The seal itself has been since lost or mislaid. There were several persons named Richart Fortescu in Normandy in the fifteenth century, but we have no record of any intermarriage with an English namefake.

² Inquis. Rot. Conc. Hib. Repertorium Ultonia, No. 35, Carolus I. Down.

³ See the letters of Chichester to Conway, dated Sept. 1624 and Nov. 3, 1624, and of Conway to Chichester Nov. 17, 1624, in the State Paper Calendars, Domestic, 1623-25.

out as there is a letter, here given, written by Lord Chichester, then sitting as a member of the Council of War, to Secretary Conway, making interest with the Duke of Buckingham, the King's favourite minister, to get for Sir Faithful in exchange a company in the troops designed for Ireland, it is unlikely that he ever embarked for the Continent. The desired exchange was, at all events, effected, and he employed himself in 1625 in raising men for the Irish service in Cumberland. We find a list of fifty names¹ of men levied for him by the Deputy Lieutenants of that county in March of that year.

LORD CHICHESTER to SECRETARY CONWAY.²

SIR,

Upon the receite of the inclosed from your brother, I thought it not amisse to hasten them unto your honor, for that I conceive in some poyntes he expects answer or advice from you, and I have now a messenger by whom I maye transmitt it unto him if you please to fend it me.

I geve you hartie thanks for settinge downe my nephew Frances Bassett for a captain in this employment under the Count Mansfeilde, he shall do as others do albeit in my opinion they are to receive the Commaund of their men upon hard conditions, if your servant mistooke not your directions in penninge the letters: wee understand not how manie men shall be under a cullers, nor who are the collonells nor the division of the Captains under the collonells, upon what foote they shall serve for paye; in these and some thinges else wee of the Councell of Warr have prayd your honors more ample and playne directions.

In the late list I finde my nephew S^r. Faythfull Fortescue, I never sought to gett him a companie in this employment under Count Mansfeild, but I prayd my Lord the Duke to honor him with the commaund of one of the companies to goe for Ireland, and I prayde your honor to further my Sute unto his Grace in his behalfe, and to putt his Lordship in minde of him when tyme serves (as now I thinke it will.) your brother writt unto you in his behalfe and in placinge a companie upon him you will do us all a great kindnes wourthy acknowledgment.

As Sir Cary Lambeart writtes unto me he was promised a companie in this employment with the Count, if it please my Lord the Duke and you he maye have this companie assigned to S^r. Faithfull Fortescue, he is a brave younge gentleman and in conferringe of a companie upon him it will be a testimonie that the services and deferts of his father are had in Remembrance.

The Earle of Thomound now with God, had a Troope of horse and a companie of

¹ State Paper Calendars, Domestic, 1623-25, March 16, 1625.

² State Paper Calendars, Domestic, 1623-25.

foote in Irelande, his sonne is a noble lord, and beinge countenanced and supported will be able to do the Kinge and Kingdome great service in those parts, I wish he might retayne the companie of foote, or beinge otherwise disposed that he might have one of the companies now to be sent thether, which I conceive to be wourthy of as much consideration as anie one perticulare concerninge the good Governement of those parts as anie that can come into debate which I recommend to your noble respect of the younge Lord and of the publique.

In our memorialls unto you, I finde that the care of sendinge minesters of the worde of God with these Troopes to goe with the Count Mansfeild is omitted, those that goe anie wher, or into anie action without Gods blessings can not prosper, and how can wee expect that God will blesse our indevours when wee neglect to serve him, and how can soldiars serve him without teachers to instruct and call upon them to humble themselves before him; I praye thinke upon this as a matter of greatest moment and spare not to putt the Kinge in minde of it, his majesties owne speeches are *A fore principium*.

I am your honors in much love and service

ARTHUR CHICHESTER.

Westminster the 11th of November 1624.

Att neight.

(Indorfed) For Sir Edward Conwayne Knight
principale Secretary of State.

Lord Chichester died in London on the 19th of February in the year 1625. His remains were taken for burial in the following October to Carrickfergus, where Sir Faithful attended the funeral.¹ He there, at the head of the body, carried the banner of Courtenay of Powderham, while his second son, John Fortescue, carried at its feet that of Bouchier, another Devonshire name.

From the letter which follows it would appear that he was able at this time, while serving with his company, to reside in his own house at Dromiskin.²

NOBLE S^r

This bearer Geo: Gernon a souldier of my company had a Nagg stowlen from him by one Henry Backagh M^cArdell as he supposeth who now dwells upon M^r. Talbotts land of Castle Ring. I beseech yo^u take the matter into yo^r consideracōn & proceede therein as yo^u in yo^r discretion shall thinke meete, affording this honest man yo^r power in healing him to his Nagg & apprehension of the Theefe.

¹ Ulster Journal of Archæology, vol. ix. p. 196.

² Sloane MS. Brit. Mus. The seal attached to this letter is the original of the woodcut on the opposite page.



THE RIGHT WISE AND VALIANT ARTHUR CHICHESTER, FIRST LORD CHICHESTER
(From an old Print).

I told yoⁿ what a receptacle of Theeves those lands of Castle Ring weare, & how they weare presented by Jury at a Quarter Sessions held at Ardee whereupon I layd my souldiers on them till they weare taken off by my L. Deputies warr^t. as yoⁿ may see by these inclosed coppies, w^{ch} will allfoe shew yoⁿ the names of such malefactors as weare presented by the Jurye. There now coms to yoⁿ wth this bearer a Tenant of myne one Tyrlagh Kindalan who had 15 Sheepe stowlen from him upon Tuesdaye laste at night & weare droven over the Bridge of Afane by 2 men as he heeres, By this yoⁿ may understand what reakes are playd by the Borderers, who y^t seems have sharpe hungry stomakes, that will steale leane sheepe at this season of the yeere. Pray afforde the poore man what assistance yoⁿ may for recovery of his Goods, And thus being in haste I give yoⁿ to my Brother Floyd the remembrance of my service and ame

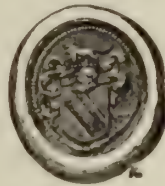
Yo^r affectionate true frind to serve yoⁿ,

FA^yTH: FÖRTESCUE.

Drumiskin, 15 Febr: 1627.

Addressed

To my ho^{ble} good friend
S^r. W^m. Windfor, Kn^t.
these at Ardee.



Sir Faithful drew up the following sketch of Lord Chichester's life:—

An Account of the Rt. Honourable ARTHUR, first Lord CHICHESTER, Lord Deputy of Ireland, by his Nephew, Sir FAITHFUL FORTESCUE, Knight.

Arthur Lord Chichester, Barron of Bellfast, in the county of Antrim, in the Province of Ulster, in the north of Ireland, was a younger sonne of S^r John Chichester, of Rawly, near Barnestable in Devonshire,¹ where he attained to cappacity for the University; he was sent to Oxford, and was of Exetter Coledge. He was only a Gramer Schollar, and being very active, strong, and Ingeinous, tooke affection to a millitary course. He went first into Ireland, takeing with him for companion Bartholemew Fortescue my Fathers younger Brother, whom he much loved, and he being, as I have often heard his Lo^d. say, very good company, a valiant strong man, and one of the best wrestlers in those times; they stayd awhile with S^r. Georg Bouchier, who was then Master of the Ordinance in Ireland, and sonne of the Earle of Bath, and Father of this Earle, a noble gentleman. They had been actors (with other young gentlemen) of a youthfull rash trick in England, for which they fled into Ireland, and when their friends had obtained their pardon of Queen Elizabeth they returned to England, soon after my Lord Chichester (who was then but master Chichester) adventured abroad for advancement, and ffortescue turned sea Cap^t. and died in that

¹ By his wife Gertrude, daughter of Sir William Courtenay, of Powderham.

imploy^{mt}. Chichester was afterward made Cap^t. of one of the Queen's best ships, under command of the Lord Sheffield, at the sea fight with the Spanish Armado in 88.

He had the command of one of the Queen's ships with 500 men in S^r. Francis Drake's last voyage to West Indies. S^r. Francis then died there.

He was a vollunteer in the Earle of Effexe's voyage to Spayne, and at Cades, Cap^t. Paul Chichester, who was an able darring man, being slayne with a bullet, the E. of Effex gave him his company: he was Sergeant Major Gen^l. of the Queen's army in Pickardy, under command of S^r. Thomas Baskerville, and at the siege of Ameons was shott in the shoulder, and for his courragious good service, then (and in those warrs) was knighted by King Henry the fourth. When those Civill warrs were ended he went into the Low Countries, where he had a company of 200 men which then was his subsistance, but S^r. Rob^t. Cicell, Secretary of State to the Queen, being very much his noble friend, telling her Majestie what pittie it was so able a gentleman should bury his time in that country with a single company, he haveing imployment for him in Ireland where his brother S^r. John Chichester was slayne with a bullet,¹ got leave of the Queen to fend for him (he being then garrifond at Ostend) and to employe him in the Service of Ireland, with a Regm^t. of 1200 men, with which command he was sent thither, and according to his commission landed them with himself at Dublin, S^r. Adam Loftus of Rathfern^{am}. Lord Chancellor, and S^r. Robert Gardner, Lord Chiefe Justice, being Lords Justices in the intervale between the death of the Lord Burrows, Lord Deputy, (who dyed at the Newry) and the comeing of the Earle of Effex, Lord Lieutenant.

From Dublin he was sent with his Reg^t. to garrison at Tradath.² Within a short time after the Earle of Effex arrived at Dublin with the Gallantree of England, and hearing much in praise of S^r. Arthur Chichester, and perfection of his Regiment, made a jorney purposely with his Gallants to see them, and S^r. Arthur haveing drawn his Regm^t. up in a fayre field and exercised them perfectly (at which he was excelent) they being in close order, the Earle thinking to put a sally on them by breaking thorow them, charged at them with his Galant Cavallrie, but the Collonell (not being used to receive foyles) had so ordered his Pikes as they forc't the Earle to a carry coale, and upon his wheele a faucie fellow with his Pike prickt his Lords^p. (saveing y^r reverence) in the rump, and made him bleed, so, he haveing enough of that smarting sport, he retreated, giveing the Collonell and his Reg^t. high Prayse; his Lord^p. stayd but a short while in Ireland; then came S^r. Charles Blunt, Lord Mountjoy, Lord Deputy, and was after Earle of Devonshire, who within few moneths made S^r. Arh^r. Chichester Serjeant Major Gen^l. of the Army, he well knowing his strong abillities in ffrance, and the Low countries, where they had been intimate friends. S^r.

¹ He was killed by the MacDonnells of Antrim in 1597. It is to be remarked that this Sir John had an elder brother, also Sir John, who died at Exeter in 1585.

² Now Drogheda.

Harry Danvers who was afterward made by K. James Lord Danvers, and Earle of Danby, was before Major Gen^l. About six moneths after, he was made Governor of Carrickfergus, and those parts, which being so farr off from the Lord Gen^l. as he could not attend to receive and distribute his orders, S^r. John Barkly was made Major Gen^l. who about a year after was slayne with a bullet on takeing of an Island in a Lough called Maherle'coo, in the County of Armagh.

Then was S^r. Arthur Chichester made Major Gen^l. againe, and at length had that office by Patent dureing life, and after his invadeing the County of Tyrone by boats over Lough Neagh from Masserin, in the County of Antrim, and raifeing a fort at his landing place, which was after named Mountjoy, he was made Govern^r. thereof and the adjacent contry, by Pattent, and Admyrall of Lough Neagh, by the name of Lough Chichester.

The next year, the Queen dying, King James made the Lord Deputy Mountjoye Lord Lieutenant of Ireland, and S^r. Arthur Chichester, S^r. Harry Doewry, and S^r. W^m. Godolphin, privy Councillors of Ireland, which was when they were upon their march with the army in Munster to reduce the Citty of Waterford, Cork, and Limerick, that rebeled and wold not proclyme King James as their King; but they were forced to it, and some of the chief actors hanged at Cork.

The next spring the Lord Lieut. went for England, all being at Peace in Ireland, soe did S^r. Arthur Chichester; and S^r. George Carry of Cockenton, in Devonshire, who was then Treasurer in Ireland, was for the present left Lord Deputy; and about 2 years after, or less, it being in 1604, S^r. Arthur Chichester was made Lord Deputy, which he held twelve years, which was longer than ever any did before or since; and towards his end of that Gover^t. he was made Barron of Belfast, his own town, and after his rendering up of the Kings sword, was made Lord high Treasurer of Ireland. Then he retyred to his estate and Gover^t. in Ulster, and about 3 years after was by letter from King James calld into England and imployd Ambassader to the Princes of the union in Germany; and in short time after his returne was made one of the Councill of war, and within few moneths, one of the Lords of the Privy Councill of England, and in few years after dyed at London much lamented by all that knew him. He was burried at Carrickfergus, where he had built the noblest House in the kingdom, and had prepared a neat Tomb to receive him when God shoud please to send him to it.

He was one so farr from Ambition and covetousnes that he, neither by friends nor of himself, moved for advancement Military or Civill, but still it was conferred on him unfought, as all those commands and honours were which he had by the favor of S^r. Rob^t. Cicell, Earle Salisbury, the Earle of Devonshire, and lastly, from King James; soe likewise was his Knighthood by the King of France; all which certainly wold not have been layd on him had he not been a very meriting man, and of such deportment as gained him generall good opinion and love.

To my knowledge, the Earle of Devonshire, in time of his being Lord Deputy, sayd he wonderd at S^r. Arthur Chichester, for others preft him for many things, but he for nothing ; but grumbled like a Right Western Man, and that he had twice made him Major Gen^l. and given him two Govern^{ts}. those of Carrickfergus and Tyrone, and knew not what more to do for him at present, but make him Lieut^t. Generall of the Army, which he wold doe if he found him grumbling still—and then, unless he could make him Gen^l. and Lord Deputy, he had done as much as was in him to do for him; at length he made him both, loveing of him very much.

He never sought the honnor of a Barron, nor knew it was comeing to him untill the first Lord Caulfield, who was then S^r. Toby Caulfield, brought him a Patent for it from the King, as a present from S^r. Humphry May, who had in England the manage and dispoſall of all Irish affaires, and procured it for him, loveng Him heartily, they being ancient acquaintances and friends.

I well knew that when King James, by his letters of favor and grace, called my Lord Chichester into England in 1613, he being then Lord Deputy, S^r Humphry May (who had strong power with the King) offerd to get him made an Earle, and, as I heard, Knight of the Garter, if he would but court a little the then Favorite, the Earle of Somersfett, which he said he could not doe, and that he had more honnor by being a Barron than his Estate could (becoming a Noble Man) support.

He moved not to be a Privy Councillor of England, King James knowing well his abilities, his well deserveings, and his discreet and honorable manage of his Negotiations in his Embassage in Germany, did it of himself.

He was noe very good orator, but had a singular good Expreſſion with his pen, sublime and ſuccinct, according to the ſubject whereof he wrote, and the perſon to whom; his letters to King James were ſo acceptable, as he gave him encouragement and command to write often to him; and once, when the King received a letter from him, he gave it to his favorite, Somersfett, bidding him learn it without book, ſaying he had not received ſuch a letter ſince he was King of England—and the Secretary of State, the Earle Salisbury, and Lords of the Council, would give the Lynes high prayſe. He was a greates Statesman, and good Common-wealths man, and as knowing, able a Souldier as any of our Nation in thoſe Tymes; he was a carefull performer of his managements, and keeper of his word; noe man knew his compoſition and diſpoſition better than myſelf, therefore I may, with confidence and truth, ſay this: that he was a man of great Honor, Piety, prudence, Juſtice, bounty and valour; very Hoſpitable, Charitable, affable, and excellent good company within and without Doors, being a lover of all civill becoming ſports, games, and recreations. His Estate was all of his own acquiſition by faire purchaſe, only the King gave him S^r. Cahier O'Dogherties country, it being by his rebellion Eſcheat to the crown; and he, with his adherents, being cutt off by the induſtry and activity of my Lord Chicheſter, that land was

then worth about 1000*l.* a year within those times of danger; and in that Kingdom, and at the furthest point North, was noe great Gift or reward from a King to a Subject that had been 12 years his Viceroy, and so well a Deserver.

His estate, being about 8000*l.* a year, he left to his good brother, S^r. Edward Chichester, who alsoe inherited his honnor of Barron of Belfast, and in short time after was made Vis^{nt}. of Carrickfergus and Governor of that towne and country, and 3 or 4 years before his death his sonn was made by King Charles Earle of Dunnagall in the North of Ulster, in which country he hath 20 miles of land at least; he was bred with and by his noble uncle Arthur Lord Chichester, and in much is a good coppie of that originall. Upon the grand horrid rebellion in Ireland, he advanc^t, at his own charge, a Regm^t. of horse, and a Regm^t. of foot, for the Service of the King, and did very acceptable Service, he being a gallant gentleman, couragious, steddy, just, and noble-hearted.

With the first Lord Chichester, that man of great Honor and noble Endowments, I had from coming young from school my education, and by him the foundation of my advancement, and fortune I acquired in Ireland.

FFAYTH: FFORTESCUE.

In 1632 Lord Wentworth (afterwards Earl of Strafford) was appointed Lord Deputy; he, before his arrival in Ireland, commiſſioned Sir Faithful to raise him a troop of horse, an honour which he grumbled at considerably on the score of trouble and expenſe without pay or profit, as detailed in the following statement:—

SR. FAITHFUL FORTESCUE's *relation of passages of the Earle of Strafford, concerning himſelfe, giuen to y^e Ld. Lieut. in y^e yeere 1645.*

About 15 monethes before the Earle of Strafforde came Lord Deputie into Ireland hee ſente mee a warrant to raise him a Troope of horse and comāded them as his Capt. Lieu^t. vnſought or vnknowne to me vntill my receipt of the warrant, and wthin 16 dayes after I had his Troope full in the Fielde of proper men well horſte (as is well knowne to ſome yet in beeing in and neare Dublin) And condicōned wth them not to expecte pay vntill the arriual of his Lōp. in Ireland, or untill they ſhould bee preſented vnto a muſter from wth I kepte them notwthſtanding the Muſter-M^r. Generall called often at mee to giue him a liſte and view of them vntill his Lōp. came over, by wth deuice I brought all their pay for 13 monethes into his Lōp^s. purſs, but ſome fortie or fiftie pound wth I diſtributed amongeſt them at ſeueral times to encourage them wth cheerfulneſs and patience to attendance, they beleeuing that his Lo^p. at his coming would giue them ſome handſome conſideracōn for it. But his Lo^p. wthin few dayes after his arriual diſcharged 40^{tie} of them at a blow to make roome for his gentlemen and other ſeruants and gaue not them, nor any of the reſt that ſtayed in the Troope any thing, But left them to clamour and rayle at mee for their ſoe coarſe uſage hauing kepte

themselves and horses for long without pay, Howsoever I not only shuffled them off ill-favoredly but agreed with those that remained, to serve for 10*li.* a yeere and keepe their owne horses, for did I with all other that afterwards came into the Troope, for as I faued to his Lo^p. 8*li.* 5*s.* out of every mans pay yearly, untill the pretended expedition to Scotland or North of England or I know not wheare, for then his Lo^p. ordered mee to giue them the kings full pay with accordingly I assured them but could not get it for them, for as they likewise bauld at mee as thinking mee faulty therein and I lost love with them.

When this unfortunate imployment to mee was cast on mee my residence was at my poor home in the Countie of Louth (where I could haue lived at more ease to my person and purse, then I did during my attendance on his Lo^p. but to shew my thankfulness to him for the honor he had done mee in making me his officer for frankly without my seeking, I (to bringe myselfe at a nearer distance of attending his person and seruice) bought a lease of a house in Dublin which cost mee two hundred fine and ten pound a yeare rent, removed my wife and family from home thither, putt my selfe to an expence with men horses and many other waies more then I needed to haue done in the Cuntry, waited on his Lo^p. in England, and euer with affection and diligence attended him and his seruice, and I thinke liued for becoming a gentleman and his officer as I did him noe dishonour nor disservice, and neuer had anything of him in all his time, but a hundred and twenty pounds or thereabouts, being part of my entertainment with at twise hee sent mee; indeed I thought he would haue given mee some cast of his fauor some time or other with induced mee to make some reasonable requestes to him but they thriued not handsomely with mee, with were foure onely and noe more.

The first was that hee would please to helpe mee to 1200*li.* arreare of entertainment due to mee for my foote company and my ward of his Mat^{ies}. Castle of Knockfargus, with hee said hee could not doe it being an arreare before his time, but if I could procure a particular recommendation to him for it from the King hee would finde a way how to helpe mee to it, with accordingly I got from his Mat^{ie}. with cost me 10*li.* to Secretary Windebanke but could never get his Lo^p. to help mee to any of my money.

The second was that his Lo^p. would confer my foote Company vpon my sonne Chichester Fortescue who had volunteird it in his Troope two yeares with his Lo^p. refused though he had donne it for the sonnes of the Lord Baltinglafs, Lord Blany and S^r. John Burlafs, but a while after upon confideracōn (as should seeme) how ill it would become him not to grant mee equall favor, in for poore a particuler, Hee sent mee (by his Brother) a farr fetcht reason of his not doing my request at first, and notwithstanding hee would doe my desire therein, but hee had for sullied it by his former deniall of it, as I would not have had it, had I durst have scorned it.

The third was that about 2 yeares after my sonne had my Company S^r Robert Loftus dying and his Lo^p. then in England I (by letter to S^r Geo. Wentworth) besought his Lo^p. to giue mee his Company, but I had a coynd excuse retorted to mee for that.

My laſt requeſt was that the Lord Caufeield beeing dead I might haue his Company hauing miſt the former, but to that I neuer had replie.

Soe as I had the ill luck that his Lo^p. was not advantagious to mee in hono^r or eſtate for my poore eſtate that I had before I ſaw him, A Lord Deputies Capt. Leif^t. I had formerly beene 7 yeares a Capt. of a foote Company, I was when hee came, and Cunſtable of his Ma^{ties}. Caſtle of Knockfargus, and to this hee added nothing, but was pleaſed to rewarde my long attendance and ſeruice with diſgrace, for when hee was in his laſt troubles and in the Tower hee by letter ordered his Steward to diſcharge mee from my com^{mand} of his Troope, without ſhewing reaſon for it, as if I had beene his Mercenary ſeruant or Scullion, of his kitchen (and not the King's officer) to bee throwne owt by the tounge of his Steward, but I could not bow to his Lo^{ps}. hurling mee of ſoe ill-fauoredly and indeede vnſouldierly of him that was ſoe great a Generall without laying any miſcarriage to my charge and bringing mee thereupon to a triall at a court of warr; wherefore I helde my place till hee died and then quitted it, But thought it not a peece of diſcretion to quitt my pay due for my nine yeares ſeruice, therefore I required it of his Lo^{ps}. Steward M^r. Carpenter who by accounte found about 400*li*. to bee due to mee at the kings bare pay at 34*li*. per ann^o. aboue wth hee could not reckon wth mee, though his Lo^p. had ordered mee wth the reſt of the Captaines of foote companies to giue our Leivetenants 50*li*. a yeare and that noe Generall or priuate Captaine euer held their Leivetenant to the kings bare pay if they were of a deſeruing capacitie.

And I had formerly when I was a Lord Generalls Capt. Leiut. a hundred pounds a yeare and what profitt I could make by his Troope, But I come not to lay the poore kind of uſage I had at laſt for matter of pay vpon his Lo^{ps}. Steward as a faulte, hee hauing not power to deale better wth mee, But in this I thinke hee did not handſomely, that after hee had giuen mee an aſſignment to the Vice Treafurer for my pay due vpon account hee ſhould demande and receive it from him in my abſence, and now not make mee repayment thereof vpon my ciuill intreaties, having had it in his hands and employed it to aduantage this five yeares paſt.

And now that I have ſhewed that noe handſome requitall I have had from his Lo^p. for my great expence of time, money, and induſtry to doe him ſeruice, it may bee obiected that ſure I gaue him ſome reaſon to diſfauor mee and uſe mee noe better, elſe hee that was ſoe noble would haue dealt more gallantly with mee; to that I ſay and proteſt to Almitie God I neither know nor can imagin any cauſe hee could haue for it vnleſs he ſhoulde make it of theſe, That I beeing ſoe nearely linckt to ſome perſons of quallitie in this Kingdome that weare in oppoſition againſt him could not keepe my hearty loue and ſeruice to him (wherin hee caried a great miſunderſtanding of mee) or for that I and S^r. Robert Farrer in company wth others had talkt of his Lo^p. viſiting a Noble Lady wth beeing toulde him by a falſe brother at an ill tone or worſe then merrolie was ſpoken, his Lo^p. queſtioned mee roughly for

it, but when hee vnderstood our talke (w^{ch} I truly tould him) was to neither of their dishonors, hee seemed to bee well satisfied, but I doubt hee was not, and that this and his ambiguity of my integritie to him were the motiues that induced him to throw mee out of his good opinion and fauor, other reasons hee could not haue, my conscience assuring mee I neuer trespass against him in thought worde or deede, vntill his shewing his disaffections to me by denying mee foe poore a thing as a foote company (when I beleued hee thought I deserued a greater fauor of him) and the offering to ouste mee of the comāde of his Troope in such disgracefull manner and declention of my reputation, then I confesse I could not hould from passionately speaking in vindication of my selfe and condemnation of him for that, But I neuer appeared against him in any thing but for what concerned my owne particular nor noe man can truly say I did, or will auow it to my face though I haue heard it hath bene said I shewed ingratitude to his Lo^p. w^{ch} I thinke I could not doe when hee by noe obligation bound mee to him, but rather shewed ingratitude to mee.

FAITH. FORTESCUE.¹

Enclosed in the foregoing letter was a paper endorfed:—

“270 : 17 : 6 due to S^r. Faith. Fortescue
for the Cunstableship of y^e Castle of Carrickfergus from y^e yeare 1640
to y^e yeere 1645 &c.”

On the inside:—

“Due to me for my personall Entertaynements as Cunstable of his Ma^{ties}. Castle of Knockfergus at 2s. 6d. per diem from the laste of Sep^r. 1640 to the first of Oct. 1645, as by warr^{ts}. of full paye doth appeare 270l. 17s. 6d.”

FFAYTH. FORTESCUE.

Fortescue was, in 1633, charged by the Lord Deputy to visit the garrisons and military stores in the province of Leinster; Strafford affirming that he and his colleagues in the other provinces would act “honestly, ably, and impartially.”²

In 1634 a Parliament was called in Dublin,³ to which Sir Faithful was elected; first, on the 17th of June, for the borough of Dungannon; and, on the 14th July, for the county of Armagh. His eldest son, Chichester, described as of Donoughmore, County of Down, succeeding his father as member for Charlemont. With reference to this Parliament, we find the following passage in Sir Edward Brereton's narrative of his journey:—“July 7th, 1635.—This towne of Dundalke is governed by the Bailiffs, Sheriffs, and Aldermen. The greatest part of the inhabitants of the towne are popishly affected, and altho' my Lord Deputy at the last election of Burgeses for the Parliament commended unto them Sir

¹ Carte MS. xvi. 241.

² Wentworth to Secretary Coke, October 23, 1633.

³ Liber Munerum, Hib.

Faithfull Fortescue, and Sir Arthur Jerningham, yet they rejected both, and elected a couple of recusants."¹

In 1637 Sir Faithful repaired to the Low Countries, leaving England in August of that year. His chief object being, as a contemporary letter relates, to visit Breda "to see what doings were there." The Dutch, under the Prince of Orange, were then preparing to invest the place, and they forced the Spaniards to surrender it after a three months' siege.² It was at Breda that Sir Faithful was living in attendance upon Charles II. when, in 1660, the news of his restoration was announced to the exiled King.

In 1639 Sir Faithful was again returned for Armagh County. In April, 1640,³ he appears in a list of officers of the army, appointed for the expedition to Scotland, to support the King's cause there, which, however, never took place. Sir Faithful was to be attached to the Lord General's Regiment of Horse.

In the next year he makes the liberal offer to advance money for the pay of troops at Armagh, as will be seen in the following letter:—

*To the right honorable the Earle of Ormund and Offory, Lieu'. Generall of
His Ma^{ties}. forces in Ireland, present.*

Right honorable and my most honored good Lord,

Haueing obserued yo' Lo'ps. Comands by vertue of two patents signed under yo' Lo'ps. hand, to my Captaine, and Captaine Trappes, forthwith to rise and march to the Citty of Armagh, which accordingly wee have, and soe exactly that in our march wee had not the Complainte of the value of a shilling ag' any of the twoe Companies; but how wee shall continue being willing (the relation to y' Lo'p. considered) to gaine the good repute wee nowe haue and please our men, wherby our Comands to them may bee better obserued (money beinge shorte) & nowe quite diminished, haue indeauored our selues by all the good words and perswasions wee can to the towne to afforde to the soldiers meate at twoe shillings a weeke which the companies are willing to accept of, but the towne will noe way hearken to it, and generally conclude without money in hand they will afforde noe releefe to the foldier, although wee are willing to engage our selues. which considered doth put us to the furthest of extremity what to doe, for neither having meate nor money, wee are very doubtfull of keeping them in soe good order as wee wish, and dayly and hourly shall endeuer to doe. Nowe soe it is may it please yo' Lo'p. that S^r. Faithfull Fortescue beinge one of the cheefe in theise parts, whose beinge desirous both for our good and the good of the cuntry, hath thought of a convenient way to please both, and hath desired us to intimate soe much to yo' Lo'p. which is that if yo' Lo'p. and the state thinke fitt that the subsidies nowe to bee

¹ Brereton's Journey, in Chetham Society's Series.

² Cal. State Papers, 1637. Canbury.

³ Carte Papers.

Leuied for this county, which will not bee soe speedy as hee could wish for our releefe, doth voluntarily of himselfe promise to bee our paymaster out of his owne purse forthwith, hee being secured from yo^r Lo^p. and the state, by directions to bee paide out of the subsidies, as they shall bee collected. All this wee humbly offer to yo^r Lo^{ps} gracious Consideration, and will allwayes Remyne as wee are,

Yo^r. Lōps. most humble seruants,

THO: SALVIN,
ROBERT KING,
HENRIE BUTTLER,
EDWARD POYNTZ.

Armagh Aprill the 23th. 1641.¹

Very stormy times were now approaching for the three British kingdoms. The antagonism of Charles and his Parliament was daily becoming greater; while in Ireland, the rebellion of Sir Phelim O'Neale, and the horrid massacre of the Protestants, were destined to complicate the political motives, and to embarrass the actions of both Royalists and Republicans.

The growing interference with the executive by the Parliament,² from which it resulted that all who sought for preferment in the army were obliged to apply to leaders of the legislature, appears in the following entries in the Journals of the House of Commons.

"Westminster, 27 January, 1641. 16 Car. I.—The humble petition of Sir Faithfull Fortescue, Knight, was this day read. And it is ordered that he the said Sir Faithfull Fortescue be earnestly recommended to the Lord Lieutenant of Ireland for a Colonel's place in this service. This House being very well satisfied that he is a man of honour and experience, and worthy of such an employment."

"28 January, 1641. Ordered that Sir Samuel Rolle and Mr. Carey shall recommend Sir Faithfull Fortescue to the Lord Lieutenant of Ireland, according to the order of yesterday."

"February 1, 1641. Ordered that Sir Faithfull Fortescue be recommended from this House to the Lord Lieutenant of Ireland to be a Colonel in one of those three Colonel's places presented in the List to be void, and Sir Samuel Rolle is ordered to go with this List to the Lord Lieutenant."

The Lord Lieutenant was the Earl of Leicester,³ who was so nominated at Strafford's fall, but who had not as yet proceeded to Ireland.

In October of this year, on the 24th of the month, the rebellion broke out in the north of Ireland, so suddenly and with such violence that the Protestants were taken by surprise,

¹ Carte MS. i. 230.

² See Clarendon, ii. 22, referring, however, to some months later.

³ Leland, iii. 107.

and the Irish, almost unopposed, advanced towards the south, plundering and massacring; and were before long in the neighbourhood of Drogheda, the only fortified place between them and Dublin. Sir Faithful had, a short time before, been made governor of the town, which, says the historian Leland, "was by no means strong or well provided."¹ He continues, "On the first alarm from the North, the Governor, Sir Faithful Fortescue, had received a small reinforcement from Lord Viscount Moore (his brother-in-law, who lived at Mellifont a few miles off). He prepared it for defence, represented to the state the necessity of an additional succour, and offered even to raise soldiers at his own expense. His zeal was applauded, but he found his services by no means acceptable. Discouraged, and disappointed of supplies, he resigned his command; and Sir Henry Tichbourne, a more adventurous officer, was sent to succeed him."

"Sir Faithful Fortescue," (says another author), "resigned his commission, not being willing to lose his reputation, though he was forward enough to hazard his person."² He left two of his sons in the garrison, of whom his eldest, Chichester, a major in the army, and having a company raised at his own charge in Lord Moore's regiment, died during the siege; and his second, John, was killed by the rebels there.

He then at once, without more than a few days' delay, went to London to urge the Government to send supplies to Ireland, and employed himself in raising men for that service.³

In December of this year, 1641, we find him again recommended for service by the House of Commons.⁴

31st December, 1641.

"Ordered that Mr. Robert Goodwin and Mr. Carey do repair unto the Lord Lieutenant of Ireland, and from this House recommend unto him Sir Faithfull Fortescue for place of command in consideration that he has the keeping of the Castle of Carrickfergus for his life by patent; the which castle is now agreed by this House among other places, to be put into the hands of the Scotts."

This arrangement with the Scotch Commissioners, reluctantly entered into by the King under the pressure of the rebellion in Ireland, was carried out in April of the next year, when the first Scotch detachment landed at Carrickfergus.⁵

¹ Leland's History of Ireland, iii. 156.

² History of the Irish Rebellion, traced from many preceding acts to the Grand Expedition to Dublin, 1743, p. 44.

³ See List of the Field Officers for the Irish Expedition, chosen by the Commissioners at Guildhall. Carte MS. June, 1642.

⁴ Commons Journals, vol. ii. p. 364.

⁵ Leland, iii. 175.

The same necessity was strong enough to compel an agreement between the King and the Parliament to provide troops for the special service of the reduction of Ireland, at a time when those two estates were all but in arms against each other.

It was in this way that Sir Faithful raised and commanded, as colonel, the Third Troop of Horse engaged for the Irish expedition,¹ for which the officers were chosen and appointed by the Commissioners sitting at Guildhall in June, 1642; the king consenting to sign their commissions. He also raised for the same special service a company of foot, which afterwards was attached to the Earl of Peterborough's regiment, of which Sir Faithful's name appeared as lieutenant-colonel. The foot, as well as the horse were, on the breaking out of the civil war, after the raising of the Royal Standard at Nottingham in August, 1642, draughted into the Parliamentary army, without any regard to the opinions or inclinations of officers or men.

Sir Faithful's horse had all assembled, and had arrived at Bristol to embark for Ireland, but were now ordered and compelled to march to the midland counties, then under the authority of the Earl of Bedford, to join the army of the Earl of Essex.

In reference to this breach of contract, we find Charles complaining "that many soldiers raised under pretence of being sent to Ireland, were, contrary to their expectation and engagement, forced to serve under the Earl of Essex against the King; of which he named, with others, Sir Faithful Fortescue's regiment of horse."²

It thus came to pass that Fortescue and his men found themselves, on the 23rd of October, at Edgehill, arrayed in opposition to their king, and to their own loyal sympathies and affections.

What followed will be best told in the words of Lord Clarendon.³ In describing the battle he says: "As the right wing of the King's horse advanced to charge the left wing, which was the gros of the enemy's horse, Sir Faithful Fortescue (who having his fortune and interest in Ireland, was come out of that kingdom to hasten supplies thither, and had a troop of horse raised for him for that service; but as many other of those forces were, so his troop was likewise disposed into that army, and he was now Major to Sir William Waller, he) with his whole troop advanced from the gros of their horse, and discharging all their pistols on the ground, within little more than carabine shot of his own body, presented himself and his troop to Prince Rupert, and immediately with his Highness charged the enemy.

"Whether this sudden accident, as it might very well, and the not knowing how many more were of the same mind, each man looking upon his companion with the same apprehension as upon the enemy, or whether the terror of Prince Rupert, and the King's horse, or all

¹ Pamphlet, entitled, "Six Matters Worthy of Note." London, 4to, 1642, in Bodleian Lib.

² Clarendon, iii. 470.

³ Clarendon, iii. 277.

together, with their own evil consciences, wrought upon them, I know not, but that whole wing having unskilfully discharged their carabines and pistols into the air, wheeled about, the King's horse charging in the flank and rear, and having thus absolutely routed them, pursued them flying, and had the execution of them above two miles."

This exploit of Sir Faithful and his troopers must be considered a very gallant and hazardous one, and their abhorrence of the position into which they had been forced by a gross breach of faith on the part of the leaders of the Parliament must have been very strong to impel them to face the risk which they ran of being attacked, as well by those whom they were leaving, as by those whom they were anxious to join. We read that Sir Faithful,¹ "detesting the force put upon him in that service, was resolved to recover his freedom by quitting that army the first opportunity that offered;" and that at the beginning of the fight he had contrived to send his cornet,² (who seems to have been his own son Thomas³), to announce his intention to Prince Rupert; but the prince's subordinates Killigrew and Byron, were not aware of it; and so, says Clarendon,⁴ "they had not as good fortune as they deserved; for by the negligence of not throwing away their orange-tawney scarfs, which they all wore as the Earl of Essex's colours, and being immediately engaged in the charge, many of them, not fewer than seventeen or eighteen, were suddenly killed by those to whom they had joined themselves." This was a large proportion of the whole number of sixty, of which the troop consisted.⁵

Fortescue was soon appointed a lieutenant-colonel of the 10th regiment.⁶ He remained with the army, and was with the King at Oxford, and in the operations against the Parliamentarians, which were carried on from that city, as head-quarters, during the four next years, until Charles gave himself up to his victorious enemies.⁷ The two following papers refer to this period. The high terms in which the King refers to Sir Faithful are worthy of remark.

CHARLES R.

Right trusty and entirely beloved Cousin and Councillor Wee greete you well. Whereas by the humble petición of S^r. Faithful Fortescue kn^t (a person and officer in Our Army here whose merites are in singular estimacōn wth Us) Wee are given to understand that three of his Sons are lately dead in Our Service in Ireland, His eldest Chichester Fortescue at

¹ Lodge, Peerage of Ireland, v. 356.

² May, History of the Parliament, book 3, chap. i.

³ See List of Forces for Irish Expedition, by Peacock.

⁴ Clarendon, iii. 281.

⁵ Army List of Cavaliers and Roundheads, pp. 44, 53, A. D. 1642.

⁶ Ibid., p. 15; and p. 27, where he is also, curiously, found still in the Parliamentary list as Lieut.-Col. of the Earl of Peterborough's regiment.

⁷ Carte MS. v. fol. 185, and fol. 212.

Drogheda, being Captain of Foote of the old Establishment and Serieant Maior of the Lord-Viscount Moore's Regiment : His second sounne slayne by the Rebels there, And a third dying whilest he was in Service in that Our Army. Forasmuch therefore as the said Sr. Faithfull Fortescue hath yet another Sonne left, (being now his Eldest, by name Thomas Fortescue, bredd a Souldr. in the Low Countries, where he was his Colonels officer, and from thence came to serve Vs here as he hath done Captain of a Troope of Horse vnder the Lord Herbert with great satisfaccōn and approbacōn of Vs) whom he is desirous to prefer to the said Comaunds of his eldest Son Chichester deceased in that Our Kingdom : Wee are therefore graciously pleased, in tender consideracōn of the premiffes, & for the better encouragement both of the Father and the Son, whom Wee desire to cherish for their eminent loyall Affeccōns to Vs and to our Service, to recōmend to you the said Captain Thomas Fortescue to be instantly vpon receipt of these Our Letters admitted and confirmed in the places and charges of his said Brother Chichester deceased. To w^{ch} Wee doubt not but Our Cousin the Lo: Visc^t. Moore as well as yo^r self, wilbe readily consenting; Assureing you Wee shalbe therewth exceedingly satisfyd. And soe Wee bid you hartily farewell. Given under Our Signet at Our Court at Oxford the 25th day of May in the Nineteenth yeare of our Reigne. A.D. 1643.

By his Ma^{ties}. Comaund

EDW: NICHOLAS.

Lo. Marq. Ormond.

Addres:—"To our right trusty and entirely beloved
Cousin and Councillor James Marques
Ormond Lieuten^t. g^rall. of Our Army in
Our Kingdom of Ireland."

Addressed:—"To the right ho^{ble} the Lord
Marquis of Ormond."

MY LORD,

After the writing of my other lre to yo^r Lo^p. I heard how the Lord of Lister had disposed of my sonnes Company to Sr. Richard Grenvill, of w^{ch} I told the King, And that I thought he would send him a Comission for it by Sr. Robert Hanna, who had then newly kist the kings hand to be gon, whereupon he comanded me to cale Sr. Robt: Hanna to him, whome he presently sent to the Lord of Lister to let him know how he had giuen the Company to my sonne, what answere he gave, and what doings there hath been aboute it, Sr. Robt. Hanna will informe yo^r Lo^{ps}. And that it is beleued by the King, Prince Rupert, my Lord Generall and others that yo^r Lo^p. will speed his Ma^{ties}. warr^t. before the Lord of



BRIT. MUS. SLOANE MS. 5247 F. 30

Banner of Sir Faithful Fortescue as Colonel of a Regiment of Foot (circa) A.D. 1643.

Lefters, yo^r Lo^p. best knows what to doe in the matter, this I thought fitt to let you vnderstand, And foe humbly take leave,

Yo^r lo^{ps}. most humble servant

FFAYTH: FFORTESCUE.

Oxford, 1^o June 43.

A few particulars of Fortescue's regiment are taken from "Notes of the King's Army, Garrisons, etc. etc. 1643-44, by R. Symonds," preserved in the Harleian Collection.¹

Colonel—Sir Faithfull Fortescue.

Lieut. Col.—Sir Francis Chockke, Com. Berks.

Cornet—M^r. Jenkenfon.

Serjeant-Major—Henry Coker, Com. Dors^t.

1st Cap^t.—Thomas Percivall, Com. Som^rfett.

2nd Cap^t.—John Yerbury of Trowbridge, Com. Wilts.

3^d Cap^t.—Henry Baynton, 2nd son to Sir Edward Baynton.

These now in being May 23^d 1644.

There were at first in this Reg^t. 10 colours flying; now in all—200.

Sir Faithful was again in Ireland in September, 1646.² Upon the imprisonment of the King, in 1647, the Marquis of Ormonde, the lord-lieutenant, and other leading royalists in Ireland, were compelled to decide whether they would join the Roman Catholic leader of the still unsuppressed rebellion, or the Parliamentarians. Their attachment to the Protestant faith decided them in favour of the latter; and articles were agreed upon under which Ormonde handed over to the Parliament the garrison of Dublin. Among the conditions was one in favour of Sir Faithful, securing him from the effects of the resentment of the Roundheads, which he had incurred by his escape from them at Edgehill, or, as they termed it, his desertion. He seems, however, to have had doubts of its efficacy; for Ormonde had hardly left Dublin, on the 28th of July, 1647, when he betook himself to the Isle of Man "to avoid offensive soldiers, and to live quiet and cheap." But after a time, passing over to Wales, he was put under restraint by the Parliamentary commander at Beaumaris, in November following. This officer, under orders from his superior, sent him a prisoner to Caernarvon Castle, where he was kept, notwithstanding the earnest remonstrances of Lord Ormonde, for nine months, and then, by special order of the House of Commons, dated the 2nd of August, 1648, he was transferred to the custody of the governor of Denbigh Castle, who was directed by a warrant from the Speaker to keep him prisoner there.

¹ Harl. MS. 986, fol. 88.

² See Lord Lambert's Letter to the Lord Lieutenant, September 6, 1646, in Appendix.

The letters which passed between Sir Faithful, Lord Ormonde, and General Fairfax are here subjoined.

Letter indorsed:—"S^r Faithfull Fortescue, dated the
30th of November 1647."

Addressed:—"To my Lord Marques of Ormond,
My most ho^{ble}. Lord, At London."

MY MOST HO^{BLE}. LORD,

Wthin few dayes after yo^r Lo^{ps}. departure from Dublin I (to avoyd offenceiue souldiers, & to live quiet & cheape) went to the Ile of Man, And being weary of that barren place, & desirous to be in England, understanding that all men included in yo^r Lo^{ps}. condicōns wth the Parliam^t. past in England & Wales wthout interruption, I came hether to Beaumorris upon Satterday laste, wth intent to stay heere untill I could have some money from Dublin & then wayte on yo^r Lo^{ps}. at London; Beleeving the Articles past to yo^r Lo^{ps}. from the Parliam^t. to be (upon such high ingagements of honor) security and warrant sufficient to Let me pass through England & Wales. But one Capt. Simpkins (who comāds heere) finding my pass expird, And not willing to understand those Articles to be of force, hath put me vnder restraynt, untill he know from Generall Mittin (who is now at London) how to dispose of me,

I humbly beseech yo^r Lo^{ps}. that as soone as possible (least the mischiefes wherewth I am threatned should happen) you wilbe pleased to giue me yo^r favour in healing to free me of this danger & trouble, ether by way of Parliam^t. or warrant from S^r. Thomas Fairfax, who I beleeeve will not denie it yo^r Lo^{ps}. having granted it to S^r. Arthur Aston who hath ben much a greater offender,

This (my Lord) is the humble suite of

Yo^r Lo^{ps}. most humble servant

FFAYTH: FFORTESCUE.

Capt. Simpkins hath written to Generall Mittin of me, who I feare will send order agaynst me, if it be not timely stopt.

Beau Morris 30 Nov. 47.¹

Letter indorsed:—"A Coppy of the letter to Generall
Fairfax, Dated the 13th of Dec.
1647, concerning S^r. Faithfull
Fortescue."

¹ Carte MS. xxi. fol. 328.

S^r.

I understand by a letter which I lately received from S^r. Faithfull Fortescue that he is restrained at Beaumaris by one Captⁿ. Simpkins an officer under the command of Generall Mittin uppon pretence that the pass graunted unto him by the Commissioners of Parliam^t. in pursuance of the Articles agreed on betweene them & mee is expired, to avoid this objection I shall only mention to yo^r Exc^{le}. that in vertue of my conditions (wherein he is comprised) he may live in any part of England, Ireland, or the Dominion of Wales under the protection of the Parliam^t. and their forces, And therefore (haueing already had experience of yo^r justice in a Case not unlike to this) I am encouraged to desire you to issue such orders for his enlargement as you shall adiudge fitt, as likewise to graunt him yo^r protection pursuant to the said Articles as you haue been pleased to doe for others, in doing whereof you shall add much to the obleegem^{ts}. of S^r.

Yo^r Exc^{le}s. most humble ser^vl.

ORMONDE.

London this 13th Dec. 1647.¹

Letter indorsed :—"M^r. Rushworth's concerning S^r.
Faithful Fortescue."

Addressed :—"For Richard Lane Esq^{re}. Secretary
to the most ho^{ble}. the Marquess of
Ormond."

S^r.

I received yo^r Letter and presented that of my Lord to the generall concerning S^r. Faithfull Fortescue, who exprest himselfe verie ready and desirous to doe what in him lies to make good those Articles of Dublin, as hee hath already done in some other cases; but this of Sir Faithfull Fortescues hapning to bee different from any other, by reason that the Parliam^t. hath taken Cognizance of his Restraint and have giuen order for the bringing of him uppe, The Generall cannot soe immediatelie act uppon his owne aucthoritie, as before this accident hee might have done; The Generall satt uppe late this night with the Com^{rs}. of Parliam^t. concerning the businesse they were sent aboute, soe that itt was nott possible for him to returne an Answer himself unto My Lord Marquess as hee fully purposed: And therefore I make bold to give you this brief Account of that businesse, and doe only offer this to yo^r Consideration; That itt will bee most seasonable unto the Generall to improve his interest after S^r. Faithfull bee come nearer, then soe suddainlie after a fresh vote of Parliament, especiallie considering, That this Knight is very obnoxious to most in Parliam^t. & indeed to all their partie for an action done soe unlike a Gent^l in deserting his Colours uppon the ffeild at Edgehill, & running to the Enemy, which will make him have the

¹ Carte MS. xxi. fol. 329.

fewer friends; but had hee bin in Oxford or any Garrison wee euer tooke in, if Articles had bin granted him, deserve hee never so ill they ought to bee obserued: probably if the Marqueffe please to ingage S^r. Robert Kinge or M^r. Onflow, if they bee heere, who was two of the Com^{rs}. who are soe much concerned in honour to see the Articles performed, I beleeeve itt may produce a timelie and good effect; ffor the Generalls Engagement is butt collaterall, yet hee will nott bee wanting att a fitt season to serve my Lord in this particular: This I only intimate unto you: Desiring yo^r pardon for this trouble; I remayne:

Y^r most humble serv^t.

JO: RUSHWORTH.

Windfor 13^o 10^{bris} 1647.¹

S^r. I should have returned you an Answer of yo^r former Lette^r concerning the Horse you intimated unto mee was sent to the Generall, but being then absent from the Head Quarter occasioned that omission, indeed the Horse is of much delight to the Generall, Hee riding him every day, and I suppose a due acknowledgement hath bin made of it.

Letter indorsed:—"14 Dec. 1647. A Coppy of the Letter to the lords of the Committee at Derby howfe &c. concerning S^r. Faithfull Fortescue."

MY LORDS,

I am aduertised by S^r. Faithfull Fortescue that hee comeing into Wales in confidence that hee might securely soe doe by virtue of the conditions made with mee upon the surrender of Dublin to the Par^{mt}. is notwithstanding & in manifest breach of the sayd conditions made prisoner by at & being further informed that upon notice giuen to the hon^{ble}. the house of Com^{ons} there of they were pleased to reffer to consideration of his imprisonment and of what should bee done thereon to your L^{ps}. I conceiue it my parte in behalfe of S^r. Faithfull Fortescue humbly to claim the benefit of the second Article agreed unto by the Com^{rs}. thereunto Authorised by the Par^{mt}. wherein I humbly conceiue it is most cleere that all Protestants whatsoever of the kingdome of Ireland without exception of Person, place of their then abode, or past offence against the Par^{mt}. other then haueing bin in the Irish Rebellion, are to bee secured in their Persons, estates, & goods, & may live quietly & securely under the Protection of the Par^{mt}. & their forces, ether within England, Ireland, or Wales, & as cleere it is that S^r. Faithfull Fortescue for his long and neare relations to & in that Kingdome may as properly bee esteemed a Protestant of Ireland as any man whatsoever; All w^{ch} when your L^{ps}. shall haue considered I doubt not but such a course will bee taken for this Gentlemans present release and future security pursueant to the forementioned Article as becomes the honour & justice of the Par^{mt}. but if

¹ 13th of December. Carte MS. xxi. fol. 331.

objection should bee made or doubt arise in hinderance of his speedy enlargement I humbly desire that I may bee made acquainted therewith & heard therein before any finall determination of the matter, it being a mater in the consequence whereof myself and very many others for whom I conditioned are highly concerned, & soe I remaine

Yo^r Lo^{p^s}. humble servant

ORMONDE.

London this 14th of Dec. 1647.¹

This is the order referred to in one of the foregoing letters :—

*Commons Journals, December 13, 1647.*²

“Ordered. That Colonel Mytton be required to secure Sir Faithfull Fortescue until the House take further order, and that it be in the meantime referred to the Committee for the affairs of Ireland at Derby House to consider of the articles made with the Lord Ormonde upon rendition of Dublyn, and to state how far Sir Faithfull Fortescue is concerned in those articles.”

This second order shows that Ormonde's remonstrance was not successful.

*Commons Journals, August 2, 1648.*³

“Ordered. That Sir Faithfull Fortescue be removed from Carnarvon Castle to Denbigh Castle, and be kept Prisoner there, and that M^r. Speaker do grant his warrant to Colonel Mason the Governor of Carnarvon to deliver over Sir Faithfull Fortescue to the Governor of Denbigh Castle; and that M^r. Speaker do also grant his warrant to the Governor of Denbigh Castle to secure Sir Faithfull Fortescue, and to keep him a Prisoner there.”

The Parliament was not at that time to be prevailed upon to set him at liberty. We do not, however, know how long his confinement lasted, not hearing of him again until he is reported as one of those who followed Prince Charles, now King Charles II., to Scotland, and who were with him and his army at Stirling in April, 1651. The list in full is here given :—

“The strangers that followit and dependit on the King at this tyme sa fer as I could sie and tak notice, ar these—viz. Duke Buckingham, the Erle of Claveland, the Erle of Sant Paull (Frenchman), Lord Wilmot, Lord Witheringtoun, Lord Wentworth, Mr. O'Neill (Yrischman), Mr. Fanshaw Clerk of Counsell, Mr. Jackfoun Gentleman of the privie chalmer, Sir William Blackfoun, Sir Oratio Cary, Sir Faithfull Faskie, Mr. Layne, Mr. Harden and his Brother, Colonel Graves, Capitaine Titus, Mr. Powlic, Mr. Bray, Generall

¹ Carte MS. xxi. fol. 332.

² Vol. v. p. 280.

³ Vol. v. p. 657.

Major Maffie, Mr. Windome, Mr. Bunsche, Sir Timothie Fatherstoun, Mr. Smith, Major Galzairt.”¹

He accompanied Charles from Scotland, on his march to the south to strike a blow for the English crown, and was present in the great and decisive battle of Worcester, fought on the 3rd of September, 1651,—Cromwell’s “Crowning Mercy,” and the deathblow to the hopes of the King and his friends. I may here say that I cannot find any trace of evidence to support the statement of Lodge, who does not give his authority for it, that Sir Faithful accepted a regiment from Cromwell for the reduction of Ireland, which he led to Worcester to fight for the King. The mistake may have arisen from a confusion between Colonel Richard Fortescue the Parliamentary officer, and Colonel Sir Faithful Fortescue.

He, after this final defeat of his party, fled with Charles to the Continent, remaining, first in France and afterwards in Flanders, until the Restoration in May, 1660. We have no mention of him while abroad, but we know that his estates in the north of Ireland were over-run by the rebels, and that he had, under the Parliament, lost all his appointments in the army; and, consequently, that now in his old age—nearly eighty years—he must have been in straitened circumstances.

The King did not forget his father’s old servant; he at once restored him to the governorship or constable’s place at Carrickfergus, which he allowed him to resign a few months later in favour of his son Sir Thomas, with the title of Governor instead of Constable conferred on the latter. The patent reciting that this favour was granted “in consideration of the eminent services done Our Royal Father and Us by our said trusty and well-beloved servant, Sir Faithfull Fortescue.”² I here give the warrant and King’s letter for his restoration:—

Sir FAITHFULL FORTESCUE restored to be Constable of Knockfergus, 21 Aug. 1660.

CHARLES R.

Whereas our Royall Grandfather did by his L^{tes} Patents grant to our trusty and well beloued S^r. ffaithfull ffortescue k^{nt}. the Office of Constable of Our Castle of Knockfergus in Our kingdome of Ireland, and that by reason of the troubles and sad distraccōns of the late Times the said office was disposed of by our Royall ffather of blessed memory to other hands. Now (out of hopes of future settlement and a desire that all things may returne to their wonted Order and Condi^{ti}ōn) Our Will and pleasure is that the said S^r. ffaithfull ffortescue be restored to the said Office of Constable of Our Castle of Knockfergus in Ireland, and that he enjoy all rights priuiledges profits co^mmodities and advantages therevnto

¹ Nichols’ Diary, 1650-1667, printed by the Bannatyne Club, 1836, p. 52.

² See the Patent of October 14th, 1661, to Sir Thomas Fortescue, in Appendix.

Good M.^r Godolphin, be pleased to let me know
by this bringer M.^r Felton what is done in
my petition of Left Wthyon, if granted; if
not, pray let me understand whether you can,
if will, do me the favour you spoke of, in
helping me to a Chapman for it, And for
yo^r curtesie in those points, I shalbe
The Govt. keeps me
prisoner in my Chamber, Yo^r thankful servant
Haythi Fortescue:

belonging in as full and ample manner as he the said S^r. ffaithfull ffortescue or any pson formerly hath held and enioyed the same And for soe doing this shall be your Warrant. Given at Our Court at Whitehall this 21 day of August in the Twelwe yeere of Our Reigne.

To Our right trusty and right entirely beloved Cousin and Councill^{or} George Duke of Albemarle, Our Lieutenant Generall, And To Our right trusty and well beloued Councello^r John Lord Roberts of Truro Lord Deputy of Ireland. And to our Lieu^t. Deputy, Justice, Justices, or other cheife Governo^r or Governor^s, Chancello^r, Keeper, or Com^{rs}. for y^e greate Seale of that Our Kingdome, And to all other Our Officers there whom it may concerne.

By his Ma^{ties}. Comand,

EDW. NICHOLAS.

S^r. ffaithfull ffortescue.¹

Indorsed :—"21th of Aug. 60. The king's warr^t. concerning S^r. ffaithfull ffortescue."

Indorsed :—"Duke of Albemarle his Grace to y^e LL^{ds}. Justices Dat. 18 Dec^r. 1660. In behalfe of S^r. Faithfull Fortescue to be Constable of y^e Castle of Knockfergus."

MY LORDS,

I send yo^r Lps. heere inclosed his Maj^{ties}. warrant signifying his Royall will and pleasure that S^r. ffaithfull ffortescue bee restoared to the office of Constable of his Ma^{ties}. Castel of Knockfergus in Ireland as is more fully therein expressed, And I desire yo^r Lps. to derive vnto the said S^r. ffaithfull ffortescue the full benefit of his Maj^{ties}. gracious intentions to him therein, I remaine

Yo^r Lps. very affectionat frend and serv^t.

ALBEMARLE.

Cockpitt 18 Decembr. 1660.²

Address on back :—"To the right ho^{ble} the Lords Justices of the kingdome of Ireland these."

Indorsed :—"S^r. Faithfull Fortescue, Constable of Knockfergus Castle. Kings tre for it dated 8 Feb. 1661."

¹ Carte MS. xli. fol. 29.

² Carte MS. xli. fol. 29, 227, 306.

CHARLES R.

Right Trusty and wellbeloved Counsellor, and R^t. Trusty and wellbeloved Coufins and Counsellors, Wee Greet you well. Whereas Our Trusty and wellbeloved servant Sir Faithfull Fortescue Kn^t. for no other cause but his loyalty & good affection to Our Royall Father of blessed memorie, & to vs, hath been for many yeares last past dispossessed of his Office of Conftable of Our Castle of Knockfergus in Our kingdome of Ireland, Vpon his humble Peticōn presented to Vs for restoring him to his said office, Wee have thought good, & do hereby require you forthwith after the receipt of these Our Letters to give order for re-establishing him in his said office according to the expresse words of his Letters Patents from Our Royall grandfather. For which this shall be your Warrant. Given at our Court at Whitehall the 8th day of February 1661 in the thirteenth yeare of Our Reigne.

To Our R^t. Trusty and Wellbeloved
Counsellor Sir Maurice Eustace Kn^t.
Chancellor of Our Kingdome of Ireland,
and to Our R^t. Trusty & well beloued
Coufins and Counsellors Roger Earl of
Orrery and Charles Earle of Mountrath,
Justices of Our said Kingdome.

By his Ma^{ties} comānd

WILL. MORICE.

He was at once named a gentleman of the Privy Chamber,¹ which office he held until his death, remaining with the Court. The gentlemen of the Privy Chamber, who were first appointed by King Henry VIII. were expected to attend the Court in its diversions, progresses, &c. &c., at their own expense, with no other view than the honour of the office and being in the way of preferment. He limited their number to forty-eight, and gave them the title of Honourable. We find documents showing that the King gave Sir Faithful also some sinecure appointments,² and on one occasion, as here shown, a grant of one hundred pounds to relieve his wants.

Order for a warrant to pay to Sir Faithful Fortescue 100l. as a free gift.

Right Trusty E. Reflecting graciously on the many good Services hertofore done to our Royal Father and Our Selfe during the late rebellion, by our trusty and well beloved S^r. Faithfull Fortescue Knight, We canot but be moved with a Princely Sense of his pressing wants and contribute what the present state of our Owne affaires will suffer towards his reliefe and ease, and therefore We have thought fitt herby to signify Our Royall pleasure to you and accordingly our will and pleasure is that you forthwith give effectuell Order for

¹ See the Patent of October 14th, 1661, to Sir Thomas Fortescue, in Appendix.

² One of them was that of Water-Bailiff and Searcher of Rivers in England. See Appendix.

the paying to him the said S^r. Faithfull Fortescue, or his Assignes the s^ume of one hundred pounds, out of such monyes as are remaineing in the Receipt of Our Exchequer, as of Our free guift and Royall bounty. For which, &c. Given ye November 16th 1664.

By his Majesties command.

H. B.¹

He stayed with the King until the frightful visitation of the plague in 1665 drove all who could leave it away from London, and then betook himself to the Isle of Wight, where he occupied the Manor House of Bowcombe, one mile from Carisbrooke. Here he fell ill; and after a long illness, during which his friend and connection, Colonel Walter Slingsby, the Deputy Governor of the Island, frequently visited him, died there between the 24th and 28th of May, 1666; closing a long and eventful life at the age of more than eighty-five years.



CARISBROOKE CHURCH, ISLE OF WIGHT.

He was buried, either in the church or in the graveyard of Carisbrooke, on the 29th of that month. On the Registry of that parish is the following entry :—

“ 1666. May. Buried 29 day. Sir Faithful Fortescue, Knight.”

Soon after the two hundredth anniversary of this event, i. e. on the 13th of July, 1866, I visited the church, and after copying the above lines from the Register, proceeded up the valley to Bowcombe, to visit the old Manor House, which still exists, being now a farm-house on Sir John Simeon's estate. The Vicar, the Rev. E. Boucher James, has since had the kindness to cause a close search to be made both in the church and churchyard for any slab with Sir Faithful's name, but without success.

¹ From Record Office.

I have caused a brass tablet to be affixed to the wall on the north side of the church, with this inscription:—

“In memory of Colonel Sir Faithful Fortescue, Knight, son of John Fortescue, Esquire, of Buckland-Filleigh in Devon, by Sufannah, daughter of Sir John Chichester of Raleigh.

“He was a distinguished Royalist officer, and fought in several battles of the Great Civil War. At the Restoration he became a gentleman of the Privy Chamber to King Charles II.

“Having left London to avoid the contagion of the plague, he retired to this island, and soon afterwards, being then of a great age, died at the manor of Bowcombe in this parish, and was buried within these precincts on the 29th day of May, A.D. 1666.

“This tablet is placed here by his eldest male representative, Thomas (Fortescue) Lord Clermont, A.D. 1866.”

In the year 1878 a memorial window was put up in the church of Sir Faithful's native parish of Buckland-Filleigh, bearing the following inscription:—

“To the memory of Sir Faithful Fortescue, Knight, son of John Fortescue, Esquire of Buckland-Filleigh, and of his wife Sufannah Chichester of Raleigh, an officer distinguished in the great Civil War, who died at Carisbrook in the Isle of Wight, A.D. 1666, and was buried there, this window is dedicated by his lineal descendants Thomas Fortescue, Lord Clermont, and Chichester Fortescue, Lord Carlingford, A.D. 1878.”

He did not leave a will. There is in the Registry at Winchester an inventory of the articles of apparel and books which he had with him at Bowcombe at his death, for which administration was granted to a local creditor.¹

He married a second wife not later than the year 1637. She was Eleanor, daughter of Sir Marmaduke Whitechurch, Knight, and widow of John Symonds, Esquire, who left her, as a dowry, lands in Armagh and Monaghan.² By her he had no issue.

Sir Faithful's eldest son, Chichester, entered at the Inner Temple on the 26th of April, 1633, as “Chichester Fortescue, Armiger, filius et hæres apparent Faithfull Fortescue de Druminiskin in Com. Louth in regno Hiberniæ, Milit.”³

In 1634 he was returned to the Irish Parliament for the borough of Charlemont; and in 1642, a few months before his death, for Carlingford; being described as “of Donoughmore in the County of Downe,” a portion of his father's estate near Newry. He had a company in Sir Charles Coote's Regiment, raised for Scotland in 1640.⁴

¹ See Appendix.

² See Decrees of Chancery in Ireland, Henry VIII., 2 Geo. III., and Inq. Rot. Conc. Hib. Rep. Ultonia Armagh, No. 33, Car. i.

³ Records of Inner Temple.

⁴ Carte MSS. i. ff. 113-117.

He married Elizabeth, daughter of Sir William Slingsby, of Kippax in Yorkshire, by whom he had one child, Elizabeth, who married Sir Richard Graham of Norton Conyers, near Ripon, and was the ancestress of the present Sir Reginald Graham. She died in 1705, and was buried in the parish church of Warth, June 25, 1725. Her portrait was at Norton Conyers until the removal of the pictures in 1864, upon the sale of the mansion and estate, and the arms of Graham impaling Fortescue are still on a shield over the entrance door there.¹

Chichester Fortescue is styled Sir Chichester in Burke's account of the Graham family; he had the rank of a colonel in the army, but when sent in 1641² to assist in the defence of Drogheda, under Tichbourne, he only commanded a company of foot "on the old establishment,"³ and was sergeant-major of his uncle Viscount Moore's regiment. He took an active part in the defence, and died during the siege in 1642. He "raised his company of 100 men for the service of his own proper charge."⁴

Four years later his widow petitions the House of Lords for her husband's arrears. She re-married to John Villiers, Viscount Purbeck, brother of George Villiers, Duke of Buckingham. Her burial, in 1695, is thus registered at Warth:—

"January 23, 1695."

"Norton.—The Right Honble. Lady Elizabeth Viscountess of Pourbeck, buried in linnen, but information of it made to Sir Edward Blackett."

There was a law then existing intended to encourage the woollen manufacture, which ordered that dead bodies should be shrouded in woollen cloths; a magistrate's licence was required to allow a linen shroud.

Sir Faithful's second son, John, was killed by the rebels in Ireland in 1642.⁵ He had a captain's commission in the army intended for Scotland in 1640. He died unmarried.

The third son was Sir Thomas, who succeeded to his father's estates. The other sons were Roger, Garret, and William.

The daughters were Lettice, married to Sir Thomas Meredith, Knight; Eleanor, married first, to Thomas Burnet, Esquire, who was slain in the service of King Charles I., and secondly, to Colonel Brent Moore, of the family of Beneden, or Moor Place in Kent, an officer in high employments; Mary, Elizabeth, and Alice.

The other children of Sir Faithful died young.

¹ Letter from Mr. John R. Walbran of Fall-Croft, Ripon, Nov. 23, 1865, to Mr. R. Sims.

² History of Irish Rebellion traced to the Grand Eruption, 1743, p. 44.

³ Letter of Charles I. of May 25, 1643, granting Chichester Fortescue's commission to his brother Thomas.

⁴ Lords' Journals, vol. viii. p. 515, October 9, 1646.

⁵ Carte MS. i. ff. 113-117.

SIR THOMAS FORTESCUE.

Sir Thomas Fortescue, the eldest surviving son of Sir Faithful, succeeded to his father's estates, not, however, at once, or as a matter of course; for his father dying without a will, the property went to Viscountess Purbeck and Lady Graham, his elder brother's widow and daughter. Sir Thomas says, "that he purchased his estate from Lady Purbeck, and enjoys nothing in right or by virtue of any settlement made by his father or elder brother."¹ The family estates thus narrowly escaped alienation from the Fortescues by passing, through Lady Graham, to the Grahams of Norton Conyers. He was born about the year 1620, and at an early age served in the army in the Low Countries, where, as his patent recites, "he was bredd a souldier, and was his colonel's officer." He then returned to England, and became "Captaine of a troop of horse under the Lord Herbert, with great satisfaction and approbation" of Charles I., who had already, when he was twenty-two years old, given him, at his brother Chichester's death in 1642, the foot company which that officer had raised at his own expense and led to the defence of Drogheda the previous year.²

He was his father's cornet in the regiment which he raised in 1642,³ and with him joined the King's army at Edgehill, and served in several of the battles that ensued.

In 1649, on the 2nd of August, he was taken prisoner by the Parliamentarians, in an action fought before Dublin against the King's troops, under the Duke of Ormonde. We learn this from a pamphlet, entitled "Letters to Councell of State, of a greate Victory against the Earl of Ormonde and Earl of Inchiquin, before Dublin. Together with a Lift of the Prisoners."⁴

"Field Officers taken.

Col. C. Plunkett, Earl of Fingall.

Col. R. Butler, Lord Ormonde's brother.

Lt.-Col. Michael Searl, Adjutant-General.

Lt.-Col. Aldworth, Lt.-Col. Staneley, Lt.-Col. Fortescue, Lt.-Col. Jones."

Lodge states that he was lieutenant-colonel in Prince Charles's Horse Guards; and he was probably present at the battle of Worcester, because four days after that battle, i.e. on the 6th of September, 1651, there was an order by Cromwell, "discharging Colonel Fortescue from restraint, he giving a bond of 400*l.* and two sureties of 200*l.* each, that he

¹ From a MS., in the handwriting of Sir Thomas's second son, Captain William Fortescue.

² Letters Patent from Charles I. of May 25, 1643. Lord Herbert became Earl of Glamorgan, and second Marquis of Worcester. See *ante*, p. 188.

³ See Peacock's *Army List of Roundheads and Cavaliers*, London, 1863.

⁴ The pamphlet with the above title was printed in London, in 4to, 11th August, 1669, by Ed. Husband; it is in the Bodleian Library.

do nothing prejudicial to the Commonwealth." He is therefore supposed to have been taken prisoner in that decisive action.

He is next mentioned in the year 1660, as receiving a major's commission on the 13th of December, in the regiment of foot which Colonel John Cole commanded.¹ And in the year 1661 he was appointed governor of Carrickfergus Castle, in his father's place, who by a patent dated 14th of October, reciting that the permission was "in consideration of the eminent services done our Royal Father and us by our trusty and well-beloved servant, Sir Faithful Fortescue,"² was allowed to resign in favour of his son.

He seems to have resided for some years in his castle of Carrickfergus, several of his letters bearing that date. The following refers to the dangers of the time:—

Indorsed:—"L^t.-Coll. Fortescue ^{Dat. 22}_{Dec. 25} } May 1633."

SIR,

I receiued my Lord Dukes letter dated the 19th of this month, I shall according to my duty obserue his Graces commands with my vtmost care and dilligence, and I shall endeauor to discouer all such conspiritors and giue you an account of them, wee haue heere many Rebellious harts with smooth Tongues, profesing great loyalty to the king, but these sheep skin wolues are generally known, therfore conceaue them the les dangerous. I can giue you nothing that's strang from these parts, my prayers & good wishes shall euer wait on you, my good Lady and all yours (Deare S^t.) bee pleased to beleue that I am

Your most faithfull louer & obeadient seruant

THOS: FORTESCUE.

Carrickfergus the 22 of May 1663.

Address:—"For S^t. George Lane K^t.

These

Dublin." ³

In 1663 he was knighted. In 1682 he served as High Sheriff for the county of Down.

Sir Thomas continued to hold the governorship at Carrickfergus, and to command a regiment of foot, under Major-General Fairfax,⁴ until the change of policy consequent upon

¹ See the King's Letter in Carte Papers, vol. xli.

² See Patent, in Appendix.

³ Carte Papers, vol. xxxii. fol. 272. In some of Sir Thomas Fortescue's Letters to Sir George Lane he signs himself "your affectionate kinsman." I have not been able to find the connection between them. Lane was one of those who followed Charles II. to France after the battle of Worcester in 1651.

⁴ See printed case of William Fortescue for House of Commons.

the accession of James and his encouragement of the Roman Catholic party, when he was cashiered from all his appointments, his son's activity in the defence of Derry being alleged as one of the reasons for this severity,¹ and was afterwards imprisoned in Dublin Castle, until, with many persons of note, he was released upon the defeat of James at the battle of the Boyne in 1688.

He lived to the great age of ninety, dying early in the year 1710.

His will is dated the 3rd of December, 1709, and was proved on the 22nd of May, 1710.

He was twice married; first, to Sydney, daughter of Colonel William Kingsmill, son of Sir Francis Kingsmill, of Sidmonton, in Hampshire, and Jane, daughter of Sir Watham St. Leger, of Ulcombe in Kent, by Urfula, daughter of George Neville, Lord Abergavenny. The manor of Sidmonton was given to the Kingsmills by King Henry VIII. By this marriage Sir Thomas had two sons, Chichester and William.

He married, secondly, Elizabeth,² daughter of Sir Ferdinando Cary, grandson of the first Lord Hunfdon, by whom he had no issue.

Chichester Fortescue, the eldest son of Sir Thomas, died before his father. He was colonel of a regiment of foot, and was accounted one of the best swordsmen of his time. He resided, during the reign of King James II., on his father's estate at Donoughmore, in Down,³ until disturbed by the troubles which marked its close. In the spring of 1689, James's Irish soldiers having come in force from Newry to disperse the Protestant inhabitants, all who were able fled the country; Colonel Fortescue's wife and three children being sent for safety to the Isle of Man, while he himself raised, at his own charge, a troop of dragoons, and led them to the defence of Londonderry. He died there, some time before the relief of the city, of the prevalent disease.⁴

He married, in 1681, Frideswide,⁵ daughter of Francis Hall, Esq., of Mount Hall, now Narrow-water, in Down, by whom he left one son, Thomas, and four daughters; the eldest, Sydney, married to Thomas Bolton, of Knock, Esq., brother of Theophilus, Archbishop of Cashel; Lettice, married to the Rev. Thomas Tisdall, and died in 1726; Gertrude, married to Thomas St. Leger, Esq., of Doneraile;⁶ and Anne.

Thomas Fortescue of Dromiskin, the only son, succeeded to the estates of his grandfather,

¹ See MS. Statement of Captain William Fortescue, in the author's possession.

² For information on this marriage I am indebted to the Rev. Charles J. Robinson, of Harewood, in Herefordshire. His authority is the MS. copy of Segar's Baronagium, at the Herald's College.

³ Three of the townlands on this property, viz., Maddydrumbreeft, Moneymore, and Aughintobber, were, about seventy years ago, sold to the Corry family of Newry.

⁴ See Mackenzie's Siege of Derry. Walker's do. and Ash's account.

⁵ She died in 1708; see her Will in Armagh District Registry.

⁶ Lodge's Peerage of Ireland, vi. 118, article "Viscount Doneraile."

Sir Thomas, in the counties of Down and Louth, on the death of the latter in 1710. He married, in 1716, Anne, eldest daughter of John Garstin, Esq., of Braganstown, and died May 19th, 1725. His children were, Chichester, born June 5th, 1718; John, born June 9th, 1719; and Anne, born June 30, 1720, who died unmarried in 1751.

Chichester, the eldest, and heir to his father, served as High Sheriff of Down in 1744, and was returned to the Irish Parliament for the borough of Trim, October 15th, 1747, which he represented until his death. He married, April 9th, 1743, the Honourable Elizabeth Wellesley, eldest daughter of Richard, first Lord Mornington. She died October 10th, 1752, having had seven children, of whom two died while infants.

Mr. Fortescue was one of the one hundred and twenty-four Members of Parliament who were presented by the country with gold medals for a popular and patriotic vote on the 17th of December, 1754, which is explained by a memorandum attached to Chichester Fortescue's medal, by his grandson, the late Lord Mark Kerr, as follows:—

“The Irish Treasury, being *incumbered* by a surplus of £300,000 it was claimed for the King; this was rejected by many of the members, who insisted it ought to be applied to the benefit of Ireland. This medal was given to those who voted for the latter.”

Mr. Fortescue and his wife are mentioned in the correspondence of Mary Granville, whose friends they were. She writes of them to Mrs. Dewes¹:—“You know Mrs. Fortescue—she was always a favourite of mine; her pretty husband was abroad, which I was sorry for, as he would have been an agreeable addition to our society.”

And again, writing to the same from Dangan, Lord Mornington's seat, June 3rd, 1752:—“At twelve the coaches were ordered, and we drove to Mr. Fortescue's estate, which he purchased about four years ago,² and which joins to Lord Mornington's. He is preparing for building there, and showed us the situation, which will be very fine, not two miles from hence.

“Mr. Fortescue proposes having his house ready to receive him by the time Mr. Wesley is of age and brings home a wife; but I wish before that happens there may not a misfortune befall this family that will damp all their joys; for I think Mrs. Fortescue is in a very dangerous way, though rather better than she was. She would be an infinite loss to her young family; to her father an irreparable one; and, as far as one can judge of man's affections, a great one to her husband, who is one of the best sort of young men I was ever acquainted with, and, withal, perfectly polite and well bred.”³

“Mrs. Fortescue died last Tuesday se'nnight at Lord Mornington's house in Dublin.

¹ Letters of Mary Granville, vol. ii. 501; October 5th, 1748.

² I do not believe that the intended house was ever built; and the estate was sold again at the beginning of the present century.

³ Letters of Mary Granville, vol. iii. 130.

How I feel for all the family! Such a husband! I hardly ever heard of anything so tender and so affectionate."¹

Mr. Fortescue died June 16th, 1757. His sons were, first, Thomas, who succeeded him; Richard, born May 7th, 1749, and died in 1774; Sir Chichester, born June 7th, 1750, was a Rear-Admiral in the Navy; he obtained the office of Ulster King-at-Arms in 1788, and was allowed to perform its duties by deputy; he was returned Member of Parliament for the borough of Trim in the year 1798, through the influence of Lord Mornington, whose close borough it was. The following letter on the subject from Lord Mornington's brother, the Honourable Arthur Wesley, afterwards the great Duke of Wellington, who was first cousin to Sir Chichester, is not without interest. It was written during the Duke's first campaign in command of a brigade in Holland.

From the Honourable Arthur Wesley to Admiral Sir Chichester Fortescue.

Yzerdom,² December 20, 1794.

MY DEAR CHIT,

I have received your letter, and I wish you joy of the circumstance which interrupted you at the close of it. The intelligence which you give me that Lord Headfort intends, in case of his father's death, to set up Clot. for the County Meath, surprises me much; first, because I thought him too prudent to enter into the electioneering politicks of that county, unless certain of holding the helm, and next because I could not conceive it possible that a family should so totally throw off one of its branches in favour of another, as it seems to be the intention of that family to do in the case of Robert and Clotworthy Taylor. However, I shall certainly profit of the intelligence, and shall make such arrangements with Mornington when I go to London, as shall prevent us from being taken by surprise. I have now a proposal to make to you, which I beg you will take into your consideration, and let me have your answer upon my arrival in London; it is to bring you into Parl^t. for Trim. I should have desired it when Taylor came in, only that I then imagined a seat in Parl^t. was incompatible with your situation in the House of Lords; but I am now of a contrary conviction, and I am sure I need not endeavour to persuade you that if to bring you into Parl^t. can turn to your advantage, nothing will give Mornington more pleasure. In considering this subject, first revolve the advantage of which it will be to you and your family should matters go on smoothly; next, the disadvantage, of which there is only a possibility, should they be otherwise. Upon the first part of the question I need say nothing; we all know that in Ireland nothing is given for nothing; upon the second I must

¹ Letters of Mary Granville, iii. 165: October 20, 1752.

² This name is indistinct in the original.



Miss Verelst

G. Shury.

urge to you that, even if matters should change, Mornington, considering your situation, would not possibly desire you to risk anything. I deliver this opinion upon the present view of Irish politicks, but as circumstances may alter, it is not one upon which I should wish you to place a certain reliance; but even should Mornington desire you to go into opposition with him, your office was given to you long ago, long before you became a Member of Parl^t., and if one may judge of the future conduct of Irish ministers by their former, your opposition will not deprive you of it. Should my reasoning upon this ground appear false, you are to consider that you will always have a power to vacate your seat; and in case you consent to be brought in, I shall certainly stipulate with Mornington on your part, that to vacate when he goes into opposition is not to be considered a shabby proceeding. I have written long enough upon this subject. Direct your answer to Meyricks, Derby Street. I intend to go to England in a few days; that is to say, if the French remain quiet, and if the reg^t. is relieved from the advance-post upon the river Waal, where it has been for above six weeks. At present the French keep us in a perpetual state of alarm; we turn out once, sometimes twice, every night. The officers and men are harassed to death, and if we are not relieved, I believe there will be very few of the latter remaining shortly. I have not had my clothes off my back for a long time, and generally spend the greatest part of the night upon the bank of the river, notwithstanding which I have entirely got rid of that disorder which was near killing me at the close of the summer campaign. Although the French annoy us much at night, they are very entertaining during the day time. They are perpetually chattering with our officers and soldiers, and dance the Carmagnol, &c. &c. upon the opposite bank whenever we desire them; but occasionally the spectators on our side are interrupted in the middle of the dance by a cannon ball from theirs.

With best comp^s. to Lady Fortescue,

Believe me, yours most affectionately,

A. WESLEY.

From the Honble. Sir Arthur Wellesley¹ to Admiral Sir Chichester Fortescue.

Bewdlee (or Brewdlee, ind. finet), Oct^r. 30th, 1805.

MY DEAR CHIT.

I received from George Pomeroy your letter of the 15th Nov^r. shortly after you had written it, but I was so much hurried previously to my departure from England that I had not leisure to acknowledge and thank you for it, indeed I might perhaps at this moment urge a similar excuse for a further delay; but it has lain by me for such a length of time, and so many years have elapsed since I have had any communication that I should be

¹ The Hon. A. Wellesley was made a Knight of the Bath September 1, 1804.

quite ashamed of myself if I did not take the first moment which I could spare to write to you.

I am very much obliged to you for the care which you have taken of my goods, and as I am embarked again in a new scene of service, the result of which I cannot foresee, I shall be obliged to you if you will take care of them for some time longer.

You have not told me how you fare in the world at present. I hope that you took care of yourself, or had somebody to take care of you at the time of the Union, which event must have made a material alteration in the nature of your situation.

Our old friends at Trim have imagined, I fancy, that the dissolution of their Corporation ought to dissolve all connection between them and our family; not a man of them (not even Elliott) has written me a line since I returned to England, and I know no more about my old acquaintance in that part of the world than if they were at Japan.

I expect that Lord Wellesley will have arrived in England about Christmas, I know that you will write to him upon his arrival; but lest you should forget or omit to do so, I mention that he will be much annoyed if he should not hear from you.

God blefs you, my Dear Chit.

Believe me ever yours most affectionately,

ARTHUR WELLESLEY.

Admiral Fortescue married, in 1791, Frances Anne, third daughter of David Jones, Esquire, of Bensfort, by whom he had issue, Richard, Chichester, Sydney (a daughter), Elizabeth, Frances, married, first, to Rev. George Hamilton, son of the Bishop of Ossory, and, secondly, to the Rev. George H. Reade, and has issue; and Harriet, married to Richard Tonson Evanson, Esquire.

Gerald, the fourth son, was born Nov. 15, 1751, and died Oct. 27, 1787; he married Elizabeth, daughter of John Tew, Esquire, and had issue (1) a son, Thomas, born 1784, who for several years was in important employments in India, appointed thereto by his cousin, the Marquis Wellesley, then Governor-General, and was afterwards Civil Commissioner at Delhi; he married, March 19, 1859, Louisa Margaret, second daughter of the late Francis Russell Eager, Esquire, and died September 7, 1872; and (2) a daughter, Anne, married to William Richard Hopkyns Northey, Esquire, of Oving House, Bucks, by whom she had one son, Richard, and five daughters; of these Fanny Elizabeth married, in 1830, to George Lord Boston; Geraldine, in 1838, to Joseph Pratt-Tynte, Esquire; Margaret Antoinette, in 1850, to John Lord De Saumarez; and Eulalie Emily, to James Agg Gardner, Esquire.

Elizabeth, the only daughter of the above Chichester Fortescue and Honourable Elizabeth Wellesley (born April 3, 1745), was married, June 9, 1763, to William John Lord Newbattle, afterwards by the death of his grandfather the third Marquis of Lothian

Received May 6th 1771 from the Rt. Hon^{ble}
Lord Clarendon the sum of thirty five
Guineas for Lady Ancrems Picture.

36-15-0

Reynolds

in 1767 Earl of Ancrum; and finally by the death of his father the fourth Marquis in 1775, Marquis of Lothian. She died Dec. 27, 1787.

We return to Thomas Fortescue, eldest son of Chichester, who died in 1757. He was born May 1, 1744; served in the Irish Parliament for the borough of Trim, from July 2, 1768, until his death in 1779; married, first, in March, 1770, the Honourable Mary Pakenham, second daughter of the first Lord Longford, and of Elizabeth, afterwards created Countess of Longford; after her death, in 1775, he re-married, in 1776, Mary, daughter of Edward Nicholson, Esquire, by Henrietta, daughter of Robert Sandford, Esquire, of Castle-reagh (whose grandson was created Lord Mountsandford), and of Lady Henrietta O'Brien, daughter of the Earl of Inchiquin.

By his first wife he had Chichester and Elizabeth, who died young, and Anna Maria, born at Toulouse in France July 6, 1773, married, January 18, 1802, to William Parkinson Ruxton, Esquire, of Redhouse, Louth, member in the Irish Parliament for the borough of Ardee until the Union, and died August 25, 1865, aged ninety-two years. Mr. Ruxton died October, 1847.

By his second marriage he had Chichester, who succeeded his father, born August 12, 1777; and Harriet, married, Nov. 12, 1812, to the Right Honourable George Knox, fifth son of the first Viscount Northland, and brother to the first Earl of Ranfurly, and died, January 21, 1816, having had issue, Isabella, married to John Tisdall, Esq. of Charlesfort, and John Chichester, married to the Lady Louisa Damer, sister of the third Earl of Portarlington.¹

Chichester Fortescue, of Dromiskin, succeeded to the family estates on the death of his father in 1779. He was returned to the last of the Irish Parliaments, for the borough of Hillsborough, immediately upon attaining his majority, in the year 1798. In the same year he took his degree from Christ Church, Oxford, where he had matriculated October 14, 1795, being "created" a Master of Arts on the 20th of June, 1798.² He was Lieutenant-Colonel of the Louth Regiment of Militia. Colonel Fortescue married, August 10, 1809, Martha Angel, daughter of Samuel Meade-Hobson, Esquire, of Muckridge House in the county of Cork, a Barrister-at-Law, and Chairman of that county, and died November 25, 1826, having had issue by his wife, who died November 25, 1824, two sons and three daughters, namely, Martha Ann, born August 11, 1810, married, December 2, 1828, to the Reverend Edward Michael Hamilton, of Brown Hall, Donegal, who died in 1861, son of James Hamilton, Esquire, and the Honourable Helen Pakenham, daughter of the second

¹ Mrs. Knox died at St. Gluvias, in Cornwall, where there is a tablet to her memory in the parish church.

² There is no record of his having taken his Bachelor's degree, and in explanation of this now unusual omission, I am informed in 1879, by the Dean of Christ Church, that "It was the common practice at Oxford, down to times within memory, to create Noblemen and Gentlemen-Commoners, in which latter class Colonel Fortescue had entered, Masters of Arts without their being required to take the inferior degree."

Lord, and sister to the second Earl of Longford; by whom she has had three sons, Edward William, John, and Chichester, and one daughter, Martha Angel, married to the Reverend Henry Stewart, Archdeacon of Dromore:—Thomas Lord Clermont, born March 9, 1815; Mary Florinda, born August 5, 1818, died April 19, 1828; Chichester Samuel Lord Carlingford, born January 18, 1823; Harriet Angelina, born November 14, 1824, married September 5, 1854, to David Urquhart, Esquire, of Cromarty, formerly Secretary of Embassy at Constantinople and M.P. for Stafford, by whom she has issue, David, Mary, Harriet, and Francis. Mr. Urquhart died May 17, 1877.

Thomas Fortescue, the eldest son of Colonel Chichester Fortescue, succeeded, on the death of his father, in November, 1826, to the paternal estates in Louth and Down. The latter, however, were, during his minority, sold to the Marquis of Downshire. He graduated B.A. at Exeter College, Oxford, in 1837; was returned as a knight of the shire for the county of Louth in July, 1840, on the resignation of Mr. Chester, one of its representatives; married in the same year, on the 26th of September, in London, the Lady Louisa Grace Wandesforde Butler, third daughter of James, Marquis of Ormonde.

Mr. Fortescue having, by the death of Sir Harry James Goodricke, of Ribston Hall, Yorkshire, on the 21st of August, 1833, inherited the Louth and Armagh estates of the late Viscount Clermont, became the representative of both divisions of the branch of the Fortescues sprung from the Buckland-Filleigh House through Sir Faithful Fortescue; and on the 11th of February, 1852, he obtained a revival of the Irish Barony of Clermont, with a special remainder to his brother and his heirs male; and on the 2nd of May, 1866, he was created a peer of the United Kingdom as Baron Clermont.

Chichester, second son of Colonel Chichester Fortescue, was educated at Christ Church, Oxford, matriculating there in the summer term of 1841. He was chosen as a student of that college in December, 1843, and at a later period was elected by the Dean and Chapter to an Honorary Studentship. He took a first class in classics at his Degree Examination in 1844, and graduated as Bachelor of Arts in 1845. In the following year he gained the Chancellor's prize for the English essay. In July, 1847, he was returned to Parliament for the County of Louth, and continued to sit for that county until the dissolution in January, 1874. He was made a Lord of the Treasury by the Earl of Aberdeen in January, 1854, was Under Secretary of State for the Colonies from June, 1857, to March, 1858, and again from June, 1859, to November, 1865, when he was appointed by Earl Russell, Chief Secretary for Ireland. He vacated that office on the resignation of the ministry in July, 1866, and resumed it, with a seat in the Cabinet, in December, 1868, on the formation of Mr. Gladstone's government. He was sworn of the Privy Council at Windsor, in April, 1864. In the year 1870 he exchanged his office of Chief Secretary for that of President of the Board of Trade, which he held until the retirement of the ministry in February, 1874, when he was raised to the Peerage with the title of Lord Carlingford. In 1873, on the



WILLIAM LUTHER GAY

death of Sir Thomas Western, he was appointed Lord Lieutenant of Essex, being connected with that county by his marriage on the 20th of January, 1863, with Frances Countess Waldegrave, daughter of John Braham, Esq., widow of the 7th Earl Waldegrave, and of George Granville Harcourt, Esq., of Nunenham, who possessed estates there. That lady died on the 5th of July, 1879, much regretted.

In 1862 Lord Carlingford took the surname of Parkinson before his own in compliance with the will of Mr. Parkinson-Ruxton before mentioned, who left him his estate in Louth.

We now go back to William Fortescue of Newragh, second son of Sir Thomas Fortescue. He was born about the year 1647, he served in the army from his youth, being made an ensign at the age of fifteen, and by a commission signed by the Marquis of Ormonde, dated the 19th of June, 1680, the 32nd year of Charles II. he became a lieutenant in his father's foot company. The printed statement of his losses when employed in the defence of the town of Bandon gives an account of what, no doubt, were the principal events of his life, and is here annexed, with the address of the House of Commons in his behalf.

The Case of William Fortescue, Esq.

That the said *William Fortescue*, some short time before the late happy Revolution in this Kingdom, purchased a Company of Foot in the Regiment then Commanded by the now Major General *Fairfax*, and soon after by the Earl of *Clancarty*.

That soon after his late Majesty King *William* of Glorious Memory landed in *England*, the said *William* laid down the said Command, and joyned in an Association with the Protestant Nobility and Gentry of the Province of *Munster*, and Commanded that Party which seized on the *Irish* Forces, then Garrison'd in the Town of *Bandon*, whereby he secured the Town for the use of their late Majesties King *William* and Queen *Mary*, 'till the whole Province was Reduced by Lieutenant General *Macarty*, when the said Town was forced to Surrender upon Articles to the said Lieutenant General; which Articles were Ratified by the late King *James*.

*** That notwithstanding the said Articles and Ratification, the said *William Fortescue* was immediately after the said Surrender, apprehended by Vertue of a Warrant from the said King *James*, and committed to *Cork* Goal, where he Remained Eleven Months, among Condemned Malefactors, being Daily Threatned to be Hang'd, During which time he received not one Farthing towards his Subsistence, but on the Contrary, was stripped of what Money and Apparel he had, when he was so Apprehended, and soon after all his Fortune was seized by Direction of the then Powers, and his Wife and Children were turned out of the said *William Fortescue's* House, and Reduced to so great Extremity of Want, that some of his Children Perished in Ditches.

That the said *William Fortescue's* Father, Sir *Thomas Fortescue*, was Lieutenant Colonel to the said Major General *Fairfax*, and was upon the late King *William's* Landing, broke by

Express Order of the said King *James*; and the said *William's* Brother, *Chichester Fortescue* joyn'd the *London-Derry* Men, and Dyed a Lieutenant Colonel in Defence of that City.

That the said *William* and his Ancestors, have upon all Occasions firmly adhered to the Protestant Religion, and the Interest of the Crown of *England*; and the said *William* has by means of the great Severities and Losses he Sustain'd by Reason thereof, been very much Reduced in his Fortune, and never received any Compensation for his said Services and Sufferings.

* * That the said Town of *Bandon* was the first Garrison Town in this Kingdom, that was secured for the late King *William*, and the last that stood out against the said Lieutenant General *Macarty*, in the Province of *Munster*, for which Reason, the said King *James* used the said *William* with the utmost Severity, in order thereby, to Deter all other Protestants, from Imitating his Example.

For which reasons the said *William Fortescue*, humbly hopes the Honourable *House of Commons*, will take his said Services and Sufferings into their Consideration, and will Recommend him to his Excellency the Lord Lieutenant, as a Person that deserves Her Majesty's Princely Favour, and beseech His Excellency that he will be pleased to move Her Majesty to make such Provision for the said *William Fortescue*, as Her Majesty in Her Princely Goodness and Compassion shall think fit.

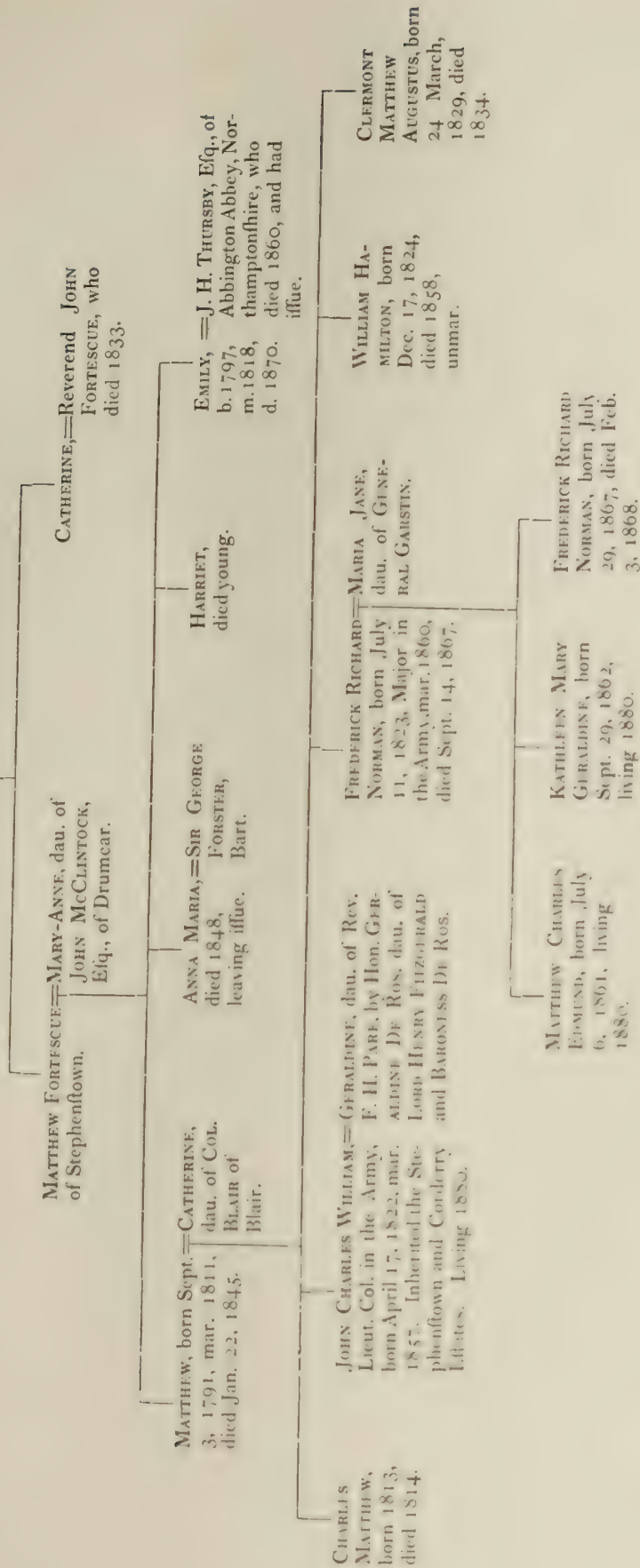
We Certifie, That pursuant to an Association of the Protestant Nobility, &c., of the Province of Munster, Captain William Fortescue laid down the Command of a Foot Company, in the Earl of Clancarty's Regiment, to take Service for their Majesties, and accordingly was by the Earl of Inchequin, &c. Posted to Command in Chief the Inhabitants of, and about the Corporation of Bandon; who form'd us into Troops and Companies, and Acted as our Governour in Seizing the Irish Forces Quartered here in February, 1688, under the Command of the Lord Upper-Osory, Sir Dan. O'Neile, &c. with whom we had a sharp dispute, wherein some were Kill'd and Wounded; by which the Town was Secured for their Majesties Use, and remained under the said Captain's care, till the whole Province was Reduced by Lieutenant General Macarty: And notwithstanding the Articles perfected to us by the said Lieutenant General, and the late King James Ratifying the same; and the Receipt of 1000l. for Ensuring them, &c. the said King James by his own Warrant, caused the said Captain to be Apprehended by some of his Officers, who Robbed him of his Mony, Apparel, &c. to a considerable value; most Ignominiously exposed him, Committing him to Cork Goal amongst Condemned Malefactors, daily menacing him with Death; continued his Restraint about Eleven Months, to our great Regret; without any Allowance from the said King James for his Support. Dated at Bandon the First of March, 1694.

Christ. Grinnaway, *Provost*.
James Jackson,
John Nash,
Abra. Savage,
Saml. Bruce,

Sam. Sweete,
Tho. Forster,
Tho. Sweete,
Rich. Sweete.

FAMILY OF STEPHENSTOWN.

WILLIAM FORTESCUE of Newragh, second son of SIR THOMAS FORTESCUE of Dromiskin, died in 1734, leaving, with other issue, his third son, Captain MATTHEW FORTESCUE, of the Royal Navy, who left issue.





WILLIAM HENRY FORTESCUE EARLE OF CLERMONT, K. T.

Zeichn. die Graven v. Hudson in der possession of Lord Clarendon 1864

*Address of the House of Commons in favour of William Fortescue, Esq.,
June 23rd, 1710.*

To his Excellency Thomas Earl of Wharton Lord Lieutenant General, and General Governor of Ireland.

The humble address of the Knights, Citizens and Burgeſſes in Parliament aſſembled.
May it pleaſe your Excellency,

Her Maſteſty's faithful Commons in Parliament aſſembled do moſt humbly inform your Excellency that William Fortescue Eſq. in the beginning of the late happy Revolution laid down the Command of a Foot Company which he then had in the ſervice of the late King James, in order to enter into the ſervice of their late Maſteſties King William and Queen Mary of glorious memory, and ſoon after ſeized on the Town of Bandon, then gariſoned with Iriſh forces, which proved of great advantage to their ſaid late Maſteſties, and to the Proteſtant intereſt in this Kingdom.

That the ſaid Town of Bandon continued under the ſaid William Fortescue's care and government till all the other Towns in Munſter were ſurrendered. Then the ſaid Town was only ſurrendered upon Articles which were ratified by the late King James.

That the ſaid William Fortescue (contrary to the ſaid Articles) was committed to Corke Goal where he continued eleven months being continually threatened to be hanged. That the ſaid William Fortescue's fortune was on that account ſeized and confiscated, and his Wife and children reduced to ſo miſerable a condition that ſome of them periſhed thro' Want.

That the ſaid William Fortescue hath not hitherto had any recompenſe made him for his ſaid ſufferings and ſervices.

We therefore moſt humbly beſeech your Excellency that you will be pleaſed to lay before her Maſteſty the caſe of the ſaid William Fortescue, and to intercede with her Maſteſty that ſhe would in conſideration of the ſaid William Fortescue's early and exemplary zeal for the Proteſtant intereſt and the late happy Revolution, and his great ſervices and ſufferings, be graciouſly pleaſed to make ſuch proviſion for him as her ſacred Maſteſty in her Princely Wiſdom ſhall think fit.

Veneris 23^o die Junii 1710.

“Ordered that ſuch Members of this Houſe are of Her Maſteſty's Moſt Honourable Privy Council do attend his Excellency the Lord Lieutenant with the Address of this Houſe in favour of William Fortescue Eſq. and preſent the ſame to His Excellency as the address of this Houſe.”

“ In conſequence of the above address, and upon further application from the Houſe of Commons, His preſent Maſteſty in the year 1733, was pleaſed by his Warrant to grant a

pension of twenty shillings a day to the said William Fortescue to commence from Lady Day 1733. That the said William dyed in June 1734, whereby the Pension was discontinued. That none of his family have ever received any recompense or satisfaction in lieu thereof."

William Fortescue married, in 1681, Margaret, only daughter and eventually sole heiress of Nicholas Gernon, of Miltown, in Louth, by the Honourable Elizabeth Plunkett, daughter of Matthew, Lord Louth, and obtained in her right a considerable estate in that county, now possessed by the present writer. He died in June, 1734.

His children were five sons and two daughters:—Thomas, his heir; Chichester of Dellin, died in 1747;¹ Matthew, a lieutenant in the Royal Navy, great grandfather of the present Lieut.-Col. Charles Fortescue of Stephenstown, as the sheet of the Stephenstown Pedigree will show; Faithful, of Corderry, knight of the shire for the county of Louth in 1727, married Elizabeth, daughter of Thomas Tipping, Esquire, of Castletown, and died in 1740, having issue two sons; John, in holy orders (fifth son of Captain William Fortescue), became rector of Haynestown in the diocese of Armagh, in 1738; married Elizabeth, eldest daughter of Henry Bellingham, Esquire, of Castlebellingham, and died in 1781, leaving issue, as will be seen in the annexed Pedigree.

William Fortescue's daughters were Alice, married to George Vaughan, Esquire, and Mary, who married John Foster, Esquire, of Dunleer, and was grandmother to the Right Honourable John Foster, the last Speaker of the Irish House of Commons, created Lord Oriel.

Thomas Fortescue of Randalstown, now Clermont Park, and of Ravensdale Park, the eldest son of William of Newragh, was born in the year 1682; was returned to Parliament for the borough of Dunleer, November 8th, 1715, and for Dundalk, September 26th, 1727. He married Elizabeth, daughter of James Hamilton, Esq., of Tollymore Park, in Down, and sister of the first Earl of Clanbrassil. This gentleman added by purchase to his Louth estates, and formed two extensive seats upon them. One, near Dromiskin, he named Clermont Park; and the other, in the valley of Ravensdale, between Dundalk and Newry, where he reclaimed and planted a large tract of moorland on the range of hills that intervene between these towns—a district which, hardly 150 years before, was thickly covered with natural wood, but so effectually cleared during Tyrone's rebellion for the purpose of depriving the Irish of their shelter, as to have become bleak and almost treeless. The traveller Arthur Young, writing in 1776, thus describes what the proprietor had effected:—

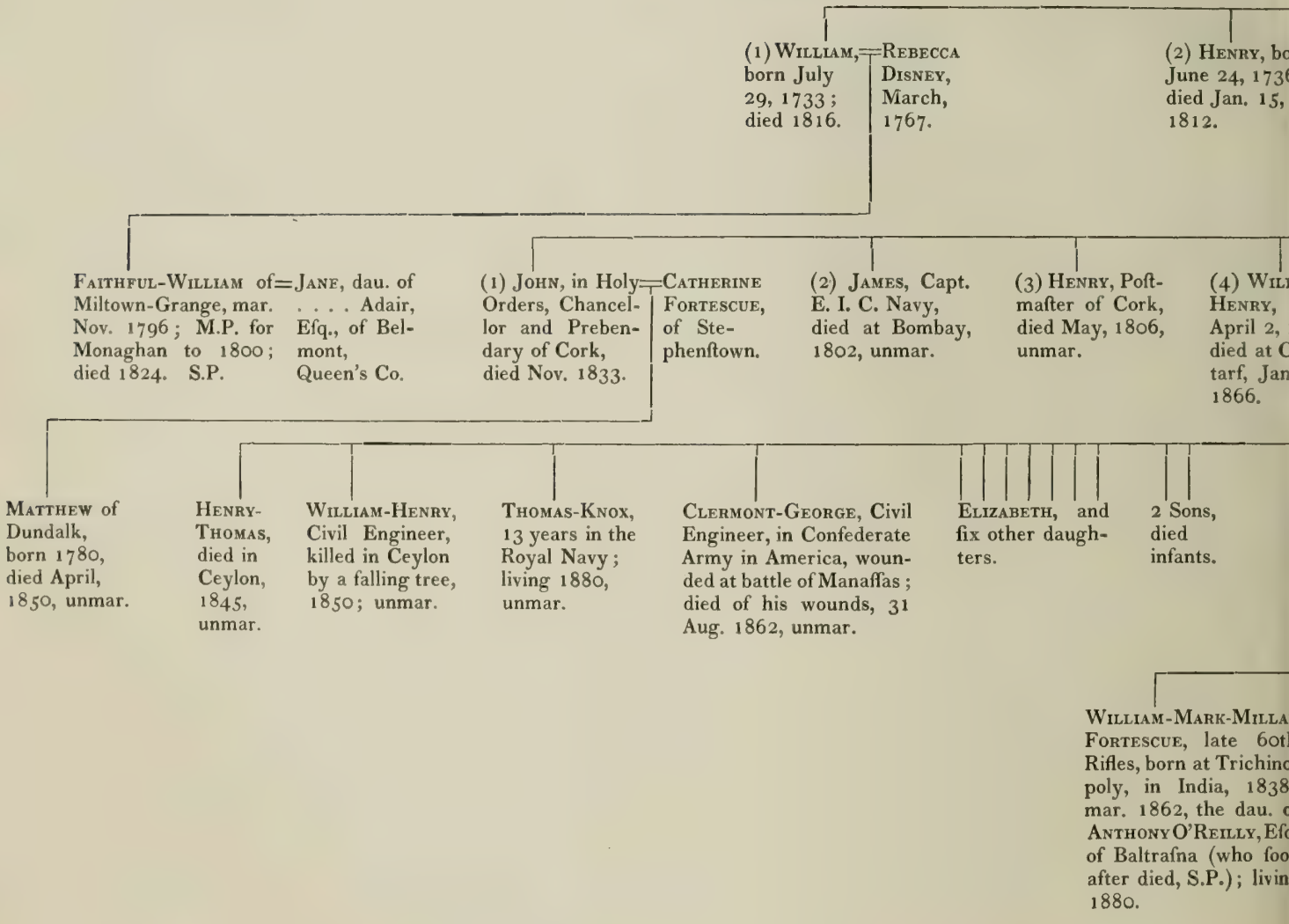
"July 22, 1776. Took the road through Ravensdale to Mr. Fortescue, to whom I had a letter, but unfortunately he was absent. Here I saw many good stone and slate

¹ Will proved April 8th, 1747, Armagh Registry.

FAMILY OF

Captain WILLIAM FORTESCUE of Newragh, second son of
SIR THOMAS FORTESCUE of Dromiskin, mar. 1681; died
1734; had issue five sons.

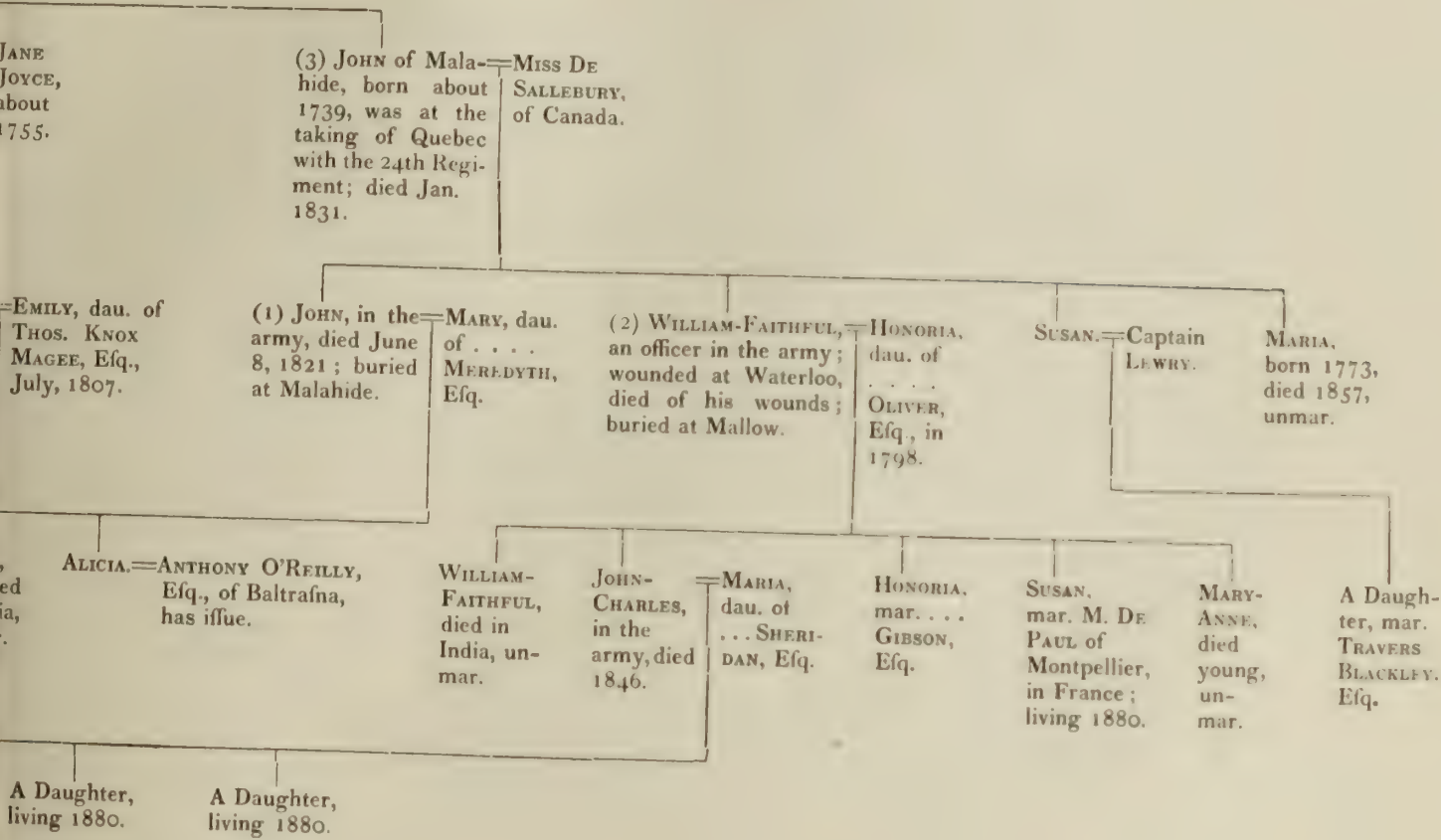
Rev. JOHN FORTESCUE of Whiterath House, fifth son, Rector of
Heynestown and Dromiskin, died 1781 or 1782, and was buried
at Dromiskin.



W H I T E R A T H .

MARGARET, dau. and sole heir of NICHOLAS GERNON, Esq., of Miltown, co. Louth, by ELIZABETH, dau. of MATTHEW, 7th LORD LOUTH.

ELIZABETH, dau. of HENRY BELLINGHAM, Esq., of Castlebellingham, about 1729.



houses, and some bleach greens; and I was much pleased to see the inclosures creeping high up the sides of the mountains, stony as they are. Mr. Fortescue's situation (at Ravensdale Park) is very romantic, on the side of a mountain, with fine woods hanging on every side, with the lawn beautifully scattered with trees spreading into them, and a pretty river winding through the vale. Beautiful in itself, but trebly so on information that before he fixed there it was all a wide waste."¹

Thomas Fortescue died January 23rd, 1769,² aged eighty-five years, and was buried at Clermont Park, in the churchyard there; leaving issue by his wife, who died at Bath in 1756, William Henry, afterwards Earl of Clermont, and the Right Honourable James Fortescue; and one daughter, Margaret, who was born in 1728, and married, in 1751, Sir Arthur Brooke, Baronet.

The eldest son, William Henry, was born on the 6th of August, 1722.³ He was returned as knight of the shire for Louth county in October, 1745. He married, February 29th, 1752, Frances, eldest daughter of General the Right Honourable John Murray, M.P. for the county of Monaghan; and in her right enjoyed for his life the estates of his wife's family in Monaghan, which then passed to the Westenras Lords Rossmore. In 1761 he was elected, at the general election, both for the county of Louth and for the town of Monaghan, for the latter of which he chose to sit, his brother being returned for Louth in his place. In 1764 he was made one of the Postmasters General for Ireland and a Privy Councillor; and in 1768 he was made Custos Rotulorum of Louth county. He was also a Governor of the county of Monaghan. In 1768 he was again returned for Monaghan,⁴ and also for Dundalk, choosing, however, to sit for the former, which he represented until his elevation to the Irish peerage, May 26th, 1770, by the title of Baron Clermont. Having no son, he obtained, in 1776,⁵ a patent creating him Viscount and Baron Clermont, with a special remainder to his brother, the Right Honourable James Fortescue, of Ravensdale Park, and his issue male; and on January 24th, 1777, he was raised to an earldom as Earl of Clermont. He was an original Knight of St. Patrick on the institution of that order in the year 1783.

He lived to an advanced age, dying at Brighton on the 29th of September, 1806, a few weeks after the completion of his eighty-fourth year, and was buried at Little Cressingham, in Norfolk, the parish in which his seat of Clermont Lodge stands. A tablet with this inscription is in the church there:—

¹ The woods were planted by the father of the proprietor visited by Young. Arthur Young's Tour, vol. i. 126.

² Inscription on tombstone at Clermont Church.

³ Inscription on silver cup, late Honourable Mrs. Grantham's.

⁴ Lord Clermont received at the Union the usual "compensation" for a disenfranchised borough—viz. 3,750*l.* for Monaghan. See Cornwallis Correspondence, iii. 323.

⁵ Date of Patent, July 23rd, 1776.

"Near this place lyeth the body of William Henry Fortescue Viscount Clermont, and Earl of Clermont in Ireland, who departed this life on the 29th day of September, 1806, in the 85th year of his age.

"This monument is erected in obedience to his Will by his Executor William Charles Fortescue, now Viscount Clermont, who was in Ireland at the time of his decease."¹

The Register contains the following :—

"1806. William Henry Fortescue, Earl of Clermont, was buried October 10th, 1806."

Clermont Lodge was left by Viscount Clermont to his nephew, Sir Harry Goodricke, and by him to the late Sir Francis Holyoake, who took the name of Goodricke, by whom it was sold.

The old Earl of Clermont was a first-rate shot. He once, for a wager, killed, in one day, in Donaweale Wood, on Lord Farnham's estate in Cavan, fifty brace of woodcocks, shooting with a single-barrelled, and of course flint-lock gun. Having missed every shot before breakfast from the excessive kicking of the gun, he then by the advice of the late Earl of Enniskillen, who was present, padded his coat-sleeve, and in a few hours killed his hundred birds. The above, with some inaccuracies, is mentioned in Yarrell's "British Birds," from Daniell. My account was given me by Lord Enniskillen's son, the Honourable John Cole, M.P.

Lord Clermont was also well known for many years in the racing world. He was the winner of the Derby with his horse "Aimwell," in 1785, when those stakes, established in 1780, were run for the sixth time. There is a print of him on horseback slightly caricatured, taken on the Brighton race-course in 1802, when he was past eighty. He was for some time "the Father of the Turf."

Sir Nathaniel Wraxall, in his Memoirs, gives a lively sketch of this genial old gentleman, and of his equally popular lady, which will place them before us better than any other description of their characters, sayings, and doings that I have met with:²—

"Among the persons of high rank whom the Prince of Wales distinguished by his particular intimacy at this period, and in whose society he passed many of his hours, may be enumerated my friends the Earl and Countess of Clermont. They were both in the decline of life. I have scarcely ever known a man more fitted for a companion of kings and queens than was Lord Clermont. Nature had formed his person in an elegant mould, uniting

¹ I visited the church on the 8th of August, 1879, and inspected the inscription; its last words appear trivial when carved on a monument. The Lodge, a plain building of considerable size, stands in a small well-timbered park between Thetford and Watton, near the latter place. The estate includes the whole of the parish.

² Wraxall's Posthumous Memoirs, vol. ii. p. 355.



Drawn from Life, & Pub^d by Dighton. Cher' Grels. Dec^r 1802.

A VENERABLE PEER.

taken on the RACE COURSE BRIGHTON.

[William-Henry, Earl of Clermont.]

delicacy of configuration with the utmost bodily activity, the soundest constitution, and uninterrupted health.

“When he was near sixty-five, while on a shooting party—I think in Norfolk—the Prince of Wales, who was one of the company, had the misfortune to wound him with small shot, in several places. Lord Clermont, however, suffered only a short temporary confinement in consequence of the accident. His royal highness not long afterwards made him a gentleman of the bed-chamber. His manners easy, quiet, calm, yet lively and ingratiating, never varied. Endowed with great suavity and equality of temper, possessing a very ample fortune, almost a stranger to bodily indisposition, and having no issue, male or female, he enjoyed every hour of human life. Descended from a branch of the antient and noble family of Fortescue, he had been successively raised to the Irish dignities of a baron, viscount, and earl. Such was his passion for the turf, that when menaced by his father to be disinherited if he did not quit Newmarket, he refused; preferring rather to incur the severest effects of paternal indignation than to renounce his favourite amusement. His understanding was of the common order; but though his whole life had been passed in the sports of the field, or among jockeys, yet he wanted not refinement; and he used to shelter himself under Horace’s *Sunt quos curriculo pulverem Olympicum*, when justifying his ardour for races. Having mixed in the highest circles during near fifty years, both in this country and on the Continent, he had collected much original as well as curious information.

“Inhabiting as Lord Clermont did, a splendid house in Berkeley Square; maintaining a table at once elegant and luxurious, choice in the selection of his wines, and in every accompaniment of taste or opulence; the Prince of Wales used frequently to make one of the number of his guests. He enjoyed indeed the privilege of sending at his pleasure to Lord Clermont, of commanding a dinner, and naming the persons to be invited of both sexes: a permission of which his royal highness often availed himself. Notwithstanding so close a connection as he maintained with the heir-apparent, yet few noblemen were better received at St. James’s; and scarcely any were detained a longer time in conversation by his Majesty, whenever he appeared at the drawing-room. Nor was he less acceptable at the Court of Versailles, where he and Lady Clermont repaired almost every year; and where they were admitted to all the parties made by the Dukes of Polignac for the amusement of the queen. The very title of ‘Clermont,’ which he assumed when raised to the peerage—and which might be esteemed factitious, as no such place I believe existed in Ireland—assimilated him to the blood royal of France; a younger branch of the illustrious line of Condé having been denominated ‘Comtes de Clermont.’ Probably he was not oblivious of this fact, in his selection of the title.¹

¹ I cannot suppose that Lord Clermont was influenced by any such motive. The name, common among French towns, probably struck him as well sounding, and he changed the appellation of one of his feats in

"When about eighty-four he breathed his last in September, 1806, at Brighthelmston, scarcely a fortnight after Charles Fox expired at Chiswick. They always lived much together, especially during the autumnal season; as Fox usually visited Norfolk in order to enjoy the amusement of shooting among his friends. Lord Clermont possessed a feat in that part of the kingdom for the same purpose. I well remember an extraordinary bet which he made with Fox and Lord Foley, for a hundred guineas, namely, that he would find a heifer which should eat twenty stone of turnips in twenty-four hours. He won the wager. I said that he breathed his last at eighty-four; an expression peculiarly fitted to express the mode of his death; for he was carried off by no specific disease, nor suffered any pain, unless it was intellectual; an augmenting weakness and extenuation, which left undiminished all his faculties, senses, and power of conversation, gently conveyed, or rather wafted him out of life. I was accustomed very frequently to dine with him in a small society of friends, till within five or six weeks of his decease; and though then evidently wafting away, yet at table he soon became animated. Even his memory remained fresh, and he bore no resemblance to Swift's Struldbrugs."

Horace Walpole writes to Lady Ossory, Nov. 26th, 1780:—

"I dined with the Lucans yesterday, after dinner Lord Clermont informed us that in the course of his reading he had found that Scipio first introduced the use of tooth-picks from Spain. I did not know so much; nor that his lordship ever did read or know that Scipio was anybody but a race-horse. His classic author is probably 'Marsh upon the Gums.'"¹

Of Lady Clermont, Wraxall writes:²—

"The Countess of Clermont was formed, like her lord, for the atmosphere of a court. Endowed with no superior talents, though possessing a cultivated mind; her manners subdued, yet exempt from servility; with an agreeable person, but destitute of beauty; uniting consummate knowledge of the world to constitutional serenity of temper; she displayed almost every qualification calculated to retain, as well as to acquire, royal favour. The Prince of Wales professed and exhibited towards her a species of filial regard. All his notes addressed to her displayed equal affection and confidence. As Lady Clermont enjoyed so distinguished a place in Marie Antoinette's esteem, it was natural that she should endeavour to transfuse into the Prince's mind feelings of attachment and respect for the French Queen,

Ireland to it, calling Reynoldstown "Clermont Park;" and afterwards took his title from his residence. The fact of the name of Fortescue being made up of two French words may have suggested the idea of giving a French name to his estate.

¹ Walpole's Letters (Cunningham), vol. vii. p. 467.

² Wraxall's Posthumous Memoirs, vol. ii. p. 359.

similar to those with which she was herself imbued. Making allowance for the difference of sexes, there seemed to be indeed no inconsiderable degree of resemblance between their dispositions. Both were indiscreet, unguarded, and ardent devotees of pleasure. But the Duke of Orleans, irritated at her successful opposition to the marriage of his daughter with the Count d'Artois' eldest son, had already prepossessed the Prince of Wales in her disfavour. He was accustomed to speak of her on the Duke's report as a woman of licentious life, who changed her lovers according to her caprice. She, indignant at such imputations, which soon reached her, expressed herself in terms the most contemptuous respecting the heir-apparent; who she characterized as a voluptuary enslaved by his appetites, incapable of any energetic or elevated sentiments.

"About this time Count Ferfen, then the Swedish envoy at the Court of France, who was well known to be highly acceptable to Marie Antoinette, visited London; bringing letters of introduction from the Duchesse de Polignac to many persons of distinction here, and in particular for Lady Clermont. Desirous to shew him the utmost attention, and to present him in the best company, soon after his arrival she conducted him in her own carriage to Lady William Gordon's assembly in Piccadilly, one of the most distinguished in the metropolis. She had scarcely entered the room and made Count Ferfen known to the principal individuals of both sexes when the Prince of Wales was announced. I shall recount the sequel in Lady Clermont's own words to me, only a short time subsequent to the fact.

" ' His Royal Highness took no notice of me on his first arrival; but in a few minutes afterwards, coming up to me, "Pray, Lady Clermont," said he, "is that man whom I see here Count Ferfen, the queen's favourite?" "The gentleman," answered I, "to whom your royal highness alludes is Count Ferfen; but so far from being a favourite of the queen, he has not yet been presented at Court." "God d—m me!" exclaimed he; "you don't imagine I mean my mother?" "Sir," I replied, "whenever you are pleased to use the word 'queen' without any addition, I shall always understand it to mean my queen. If you speak of any other queen I must entreat that you will be good enough to say the queen of France or of Spain." The Prince made no reply; but after having walked once or twice round Count Ferfen, returning to me, "He's certainly a very handsome fellow," observed he. "Shall I have the honor, sir," said I, "to present him to you?" He instantly turned on his heel, without giving me any answer; and I soon afterwards quitted Lady William Gordon's house, carrying Count Ferfen with me. We drove to Mrs. St. John's, only a few doors distant, who had likewise a large party on that evening. When I had introduced him to various persons there, I said to him, "Count Ferfen, I am an old woman and infirm, who always go home to bed at eleven. You will, I hope, amuse yourself. Good night." Having thus done the honours as well as I could to a stranger who had been so highly recommended to me, I withdrew into the antichamber, and sat down alone in a corner, waiting for my carriage.

“‘ While there the Prince came in; and I naturally expected, after his recent behaviour, that he would rather avoid than accost me. On the contrary, advancing up to me, “What are you doing here, Lady Clermont?” asked he. “I am waiting for my coach, fir,” said I, “in order to go home.” “Then,” replied he, “I will put you into it, and give you my arm down the stairs.” “For heaven’s sake, fir,” I exclaimed, “don’t attempt it! I am old, very lame, and my sight is imperfect. The consequence of your offering me your arm will be, that in my anxiety not to detain your royal highness, I shall hurry down, and probably tumble from the top of the staircase to the foot.” “Very likely,” answered he; “but if you tumble, I shall tumble with you. Be assured, however, that I will have the pleasure of assisting you, and placing you safely in your carriage.” I saw that he was determined to repair the rudeness with which he had treated me at Lady William Gordon’s, and therefore acquiesced. He remained with me till the coach was announced, conversed most agreeably on various topics, and as he took care of me down the stairs, enjoined me at every step not to hurry myself. Nor did he quit me when seated in the carriage, remaining uncovered on the steps of the house till it drove off from the door.’

“I have recounted this anecdote at more length than it may seem to merit, because, trifling as are the circumstances which compose it, they prove how gracefully the Prince of Wales could redeem an error.”

We may take a few more trifles from her contemporaries.

Mrs. Delany writes, May 25th, 1773, from St. James’s Place:—

“My fine neighbour, Lady Clermont, sent cards last week to ‘a few of her acquaintance’ (not exceeding 300), ‘to drink tea and walk in the Park.’ I say it should have been to eat rusks and drink milk under the cow.”¹

Horace Walpole tells the Rev. William Mason, May 11th, 1783:—

“Lady Clermont made a great dinner and assembly for the Duke de Chartres (Egalité) on Thursday. He came dirty, and in a frock with metal buttons enamelled in black, with hounds and horses, a fashion I remember here above forty years ago.”²

Again, to Lord Harcourt, August 5th, 1783:³—

“The Prince of Wales dined lately at Gunnersbury. Before they rose from table, Lady Clermont said, ‘I am sure the Duke of Portland is dying for a pinch of snuff,’ and pushed her box to him across the Princess (Amelia), who said to her, ‘Pray, madam, when did you learn that breeding? Did the queen of France teach it you?’

“These are the gossiping anecdotes our village affords, but they are better than the news of burning towns and sinking ships.”

¹ Correspondence of Mary Granville, 2nd series, vol. i. p. 504.

² Cunningham’s Walpole, viii. 364.

³ Ibid., p. 397.



MISS MARY E. [illegible]
[illegible]
[illegible]

The Hon. Grantley Berkeley¹ gives an amusing account of Lady Clermont's way of "lacing her tea" at Brighton, by turning up the back of the teaspoon to the liqueur-bottle.

She survived her husband for several years. I do not know, however, the date of her death, or the place of her burial.

The Right Hon. James Fortescue, of Ravensdale Park, younger son of Thomas Fortescue, of Clermont, was born May 15th, 1725; he sat in the Irish Parliament, first for Dundalk, for which place he was elected in 1757. In 1761, on the 12th of December, he was returned for the county of Louth, in succession to his brother, who elected to sit for Monaghan, and continued to be chosen a knight of the shire for that county until his death in 1782. He was a Privy Councillor for some years before his death. His remains were buried in the churchyard within Clermont Park.

Mr. Fortescue was an active and public-spirited gentleman, and did much to improve the system of farming in his neighbourhood, and to encourage the linen manufacture in the north of Ireland, for which he received testimonials from several towns. An extinct local periodical, the *Newry Magazine*,² records one of his services to his neighbours as follows:—

"The cut (ship canal) from Newry (to the sea), at Fatham, was made about 54 years ago. This valuable addition to the Canal was accomplished under the auspices of the late Right Honourable James Fortescue, father of the present Lord Clermont, aided by the late Robert Scott, M.P. and William Ogle, Esq. Hence the lock at Fatham had the name of 'Fortescue-lock' for many years."

Horace Walpole in one of his letters thus mentions him:—

"November, 1773. The case of a proposed tax on Irish absentees was, that Mr. Fortescue, an Irish Patriot, fond of popularity, though brother of Lord Clermont, a most devoted Courtier, did intend to propose such a tax. It was as true that the Court intended to avail themselves of the idea, and carry it into execution; but were soon forced to relinquish it."³

Mr. Fortescue married Mary Henrietta, daughter of Thomas Orby Hunter, Esquire, of Crowland, in Lincolnshire. This lady died December 23rd, 1814, and lies buried at Ketton Church, Rutlandshire. By her he had issue four sons and three daughters.⁴ The sons were:—first, Thomas James, of Ravensdale Park, born February 15th, 1760; succeeded to his father's estate, and was knight of the shire for Louth from December 18th, 1784, to 1790; and dying unmarried in 1795, was buried in the churchyard in Clermont

¹ *Life and Recollections*, by Hon. Grantley Berkeley, 1864, vol. i. p. 59.

² *Newry Magazine*, 1815, p. 115.

³ *Walpole's Last Journals*, by Doran, vol. i. p. 269.

⁴ For the dates of birth of these children of James Fortescue, I am indebted to extracts from memoranda by the Honourable Mrs. Barlow, sent me by Mr. Edmond Barlow.

Park; second, Francis, born 1762, and died unmarried; third, William Charles, afterwards Viscount Clermont, born October 12th, 1764; fourth, George, in holy orders, Rector of Killalla, in Mayo, where he was when the French expedition under General Humbert, in aid of the Irish rebels, landed at that place on the 23rd of August, 1798, and loyally took his share of duty with the yeomanry, although his profession might have excused him.

The particulars of the event are taken from a published narrative of the time:¹—

“On the morning after his arrival, Humbert began his military operations by pushing forwards to Ballina a detachment of a hundred men, forty of whom he had mounted upon the best horses he could lay his hands upon in the country. On the road he concealed under the arch of a bridge adjoining to Killalla a sergeant’s guard, to watch the motions of any straggling party from the enemy; a measure of prudence which proved fatal to the Rev. George Fortescue (nephew to Lord Clermont), a clergyman of the diocese, of the fairest character. This young gentleman, who had been enrolled in his brother’s troop in the county of Louth, had put himself at the head of a reconnoitring party from Ballina, and falling in with the ambuscade, received a wound in his groin, of which he died in great agonies, but with the most exemplary patience and resignation, a few days after. The carabineers and yeomanry of Ballina, after a short resistance, consulted their safety by flight, leaving the town in the hands of the French, and one of their company, a Newport cavalier, who was surprised in his bed before he had time to escape. The person of this prisoner chancing to be large and corpulent, General Humbert chose to make a public exhibition of him as the *spolia opima* of his victory. Placing him, therefore, in his uniform, at his left hand, in a curricule drawn by two handsome horses, late the property of poor Mr. Fortescue, the General rode back from Ballina into Killalla in triumph.”

I give the sequel from the same narrator, as it refers to another member of the family, the late Viscount Clermont, explaining that the writer was son of the Protestant Bishop of Killalla Doctor Stock, who, with his family, was kept prisoner for some weeks by the French in his own See-house, here called the Castle:²—

“September the 12th, in the evening, the light of hope began to open on the loyalists of Killalla. Something must have happened, they whispered one another, to the prejudice of the French arms. Next morning a prisoner was brought in from Ballina, supposed to be of note, because the Commandant wished the Bishop to be present at his examination.

“It proved to be William Charles Fortescue, Esquire, nephew and heir to Lord Clermont, and Member for the County of Louth. He announced himself to be the brother of the young clergyman already mentioned as having received a mortal wound in the first encounter

¹ Narrative of what passed at Killalla in 1798 by an Eye-witness. London, 1800, p. 18.

² Ibid., p. 92.

with the French. No certain intelligence of his death had reached Dublin; so that Mr. Fortescue was instigated by an affection for an excellent and only brother to set out on horseback for Ballina, attended by one servant, resolved to take his chance, if that town should yet be in the hands of the rebels; though, when he left the capital, it was believed to have returned, along with the rest of the country, to the King's peace. . . . He did not discover his mistake until he was arrested by a patrol within a short distance from Ballina. The commanding officer there, M. Truc, with his usual brutality, charged him with coming there as a spy, to intimidate the friends of liberty by a false report of the defeat of their army (which he had met on their way to Dublin as prisoners), detained the servant and baggage, and sent the master to Killalla to be examined by M. Charost." Here Colonel Fortescue remained a prisoner in the Bishop's house until the relief of the place by the King's troops. "The presence of this gentleman was of great service in supporting the spirits of the company at the Castle; for, having attained to the rank of Major in the army he possessed a steadiness of mind in danger, and a prudence which often suggested the most salutary counsels." At one time he had a narrow escape with his life, when the rebels began to fire on the Castle. "Mr. Fortescue very humanely took upon him the direction of the women and children, whom he placed as far as he could from the windows, and made them remain prostrate on the carpets till the business was quite over. He himself could not refrain from taking his stand at a window of the library looking seaward, which, with the other windows of that room, he had barricaded with beds, leaving room to peep over them. A rascal in the sea-grove observed him, and calling to a woman in the road to stand out of his way till he should 'do for that tall fellow,' discharged the contents of his carabine full at the window with such effect that twelve slugs made as many holes in passing through the glass, two of which lodged in Mr. F.'s forehead."

A contemporary of Lord Clermont's, Lady Florence Balfour, told the writer that she remembers his return from Killalla, with the wounds in his forehead.

The Rev. George Fortescue died unmarried.

The daughters of the Right Honourable James Fortescue were:—first, Maria, born in 1763, married, in 1787, to Captain George Francis Barlow, and died in 1853, having had one daughter, who died before her mother, unmarried; second, Charlotte, born in 1766, married, in 1796, to Sir Henry Goodricke of Ribston, seventh baronet (by whom she had Sir Harry James Goodricke, born September 16th, 1797), and died in 1842; third, Emily Grace, born August 19th, 1778, married to Major Grantham, of Ketton Grange, Rutland, in 1811, and died at Ketton, without issue, February 27th, 1864, and is buried in the churchyard there.

William Charles Fortescue, second Viscount Clermont, the second son of James Fortescue of Ravensdale, a lieutenant-colonel in the army, inherited, at the death of his elder brother in 1795, the Ravensdale Park property; before that event he had succeeded him in the

representation of Louth, having been returned for that county in March, 1790. He continued to sit for it in the Irish Parliament until the Union in 1800 put an end to that assembly; and was then its representative in the Parliament of the United Kingdom until the death of his uncle, the Earl of Clermont, in 1806, caused him to vacate the seat; the Viscounty and Barony of 1776 descending to him, as well as the Louth and Norfolk estates.

Lord Clermont never married; and having survived his three brothers, the titles expired at his death, which took place at Ravensdale Park, on the 24th of June, 1829.

By his will he left his estates in the first place to his only nephew, Sir Harry James Goodricke of Ribston Hall, in Yorkshire, with remainder to the heirs male of the late Colonel Chichester Fortescue of Dromiskin, the representative of the elder line from Sir Faithful, as we have seen.

Sir Harry Goodricke, who was well known in the sporting circles of the day, died unmarried on the 21st of August, 1833, at Ravensdale Park; when the Louth and Armagh estates passed, as provided, to Thomas Fortescue of Dromiskin, who had inherited his father's estates in Louth and Down, and who on the 11th of February, 1852, obtained a revival in his favour of the Barony of Clermont, with remainder to his only brother, as before mentioned.

APPENDICES TO CHAP. XI.

A.

Letter Addressed:—“For the Lo: Lieutenant off
Ireland his Excellency.”

May itt please your Excellencie,

Since the wrightinge off my Let^r. off this dayes date, S^r. ffaithful fortescue, S^r. Edmond Varney, and Lieut. Col: Brent Moore, came to the Innes were the Councell were mett, and havinge sent us word, that they had some thinges to imparte unto us, w^{ch} much concerned the fauetie off this place, they were instantly admitted, when S^r. ffaithfull in the name of them all beganne & faide that the service was neglected, & that the trenches and walles off the cittie, had not bine viewed, and that noe course was taken for repayringe off the defectes, nor for anie men to worke in the trenches, w^{ch} he said was the Gouvernors falte; And the Lords hauinge afterwards declared their knowledge off my care and indeuours therein, S^r. ffaithful faide, thatt the Gouvernor had neglected itt, & that iff an other man had had to doe wth itt, more had bine donne, then now has bine donne; and when I taxed him wth the affronte offered mee, he said that what he had said was from them all; And spoke other words as offenseue, as what I haue before expressed.

I shall sufficiently vindicate my selfe, for their false imputacōns, when I shall next haue the Honnor to see your excellency; And shold not haue trobled your Lo^p. wth this relacōn att present, were not the iniurie and affronte soe greate as wth oute the contentment of hauinge certified yo^r excellency theroff, nott to be suspended for anie time. I haue good refonne to beleue that this



THE STATE HOUSE, ALBANY, N. Y.

proceeded from a premeditated conspiracy against mee ; for y^e my lord of Roscomon, some 4 or 5 dayes since, brought a propoſitiō to the bord, written by S^r. Edmond Varney w^{ch} (as his Lo^p. ſaid) was the aduise of S^r. Edmond & S^r. faithfull Fortescue ; Namely ; That theire Lo^{ps}. ſhold grante a Commiſſion to certaine perſonnes to bee named, to haue the power and authoritie off a Councell off warr ; and that ſuch ſhold haue power to order and decree all thinges conſerninge this place and ſeruice heere, ſoe fully that whatſoeuer they ſhold order ſhold be put in executiō without contradicō off anie ; w^{ch} wold haue bine a full ſuperſedinge off my Commiſſion, & was as ſoon reiectēd by the Lords as propounded ; And S^r. Edmond meetinge A cheefe officer this morninge, tooke occaſion to ſpeake off mee, and told him that wthin three dayes there ſhold be an other courſe held, & other orders giuen. I will ſuffer much untill yo^r excellencies returne, rather than anie interruption ſhalbe giuen to the ſeruice in hand ; And though theire proceedings tend to noe leſs than mutiné & diſorder, they haue noe power to effecte other preiudice then by theire tonges. I am ſoe deſirous to fulfill & effectually to diſcharge the truſt your Excellency has repoſed in mee, thatt noe difficulties ſhall diſcourage or hinder mee from aprouinge myſelfe,

MY LORD,

Your excellencies moſt affured and faithfull ſervant,

CHA : LAMBART.

Dublin the 9th off Septemb^r. 1641.¹

B.

To the king's moſt Excellent Maieſtie.

The humble Petition of Sir Faithfull Fortescue

Sheweth,

That when Sir Phelim O'Neill went into Rebellⁿ. he owed mee upon a Mortgage of Land of his ſome years before which Land being diſpoſed of by The Uſurpers to as good ſubjects as themſelves, I can neither have that, nor my money, unleſs y^r Maieſtie will be graciouſly pleaſed to relieve me with the ordering them to pay mee what is juſtly due, or render to me the Mortgage Land, which is my humble Prayer.²

Note.—Sir Faithfull then offers the form of a Proviſo to be introduced into the Act (17 & 18 Car. II. cap. 2.)³ then preparing for the Explanation of the Act of Settlement, that nothing ſhould prejudice his right which he had, on 23^d. Oct. 1641, in Sir Phelim O'Neil's Lands. But no ſuch Proviſo was introduced.

To the King's moſt Excellent Maieſtie.

The humble petition of S^r. Faithfull Fortescue

Sheweth,

That the offices of Water Bailiff and Searcher of rivers of this Kingdome being voyd, your Maieſtie was graciouſly pleaſed to grant it unto me, aboute a yeare paſt, And to that end referred my

¹ Carte MS. xviii. fol. 246.

² Record Tower, Dublin, lib. D. fol. 136.

³ A.D. 1666, the year of Sir Faithfull's death.

Family of Dromiskin, etc.

petition to your Attorney Generall, requiring him to give your Maieftie his opinion in poynt of law, what may be done therein, And I having left my petition in trust with a friend that promist to follow the bufines, he better knowing how to doe it, hath loft, or fo miflayed my petition as it cannot be found, Wherefore I moft humbly pray, that your Maieftie will be pleased to regrant me the like referment to your Attorney Generall.

And as in duty I fhall pray, &c.¹

To the King's Moft Excellent Maieftie

The humble petition of Sr. Faithfull Fortescue.

SHEWETH That although your Maieftie graciously and bountifully forgave the Wine Vintners the penalty they had drawen upon themselves by difobeing your first Proclamation (of moderating their unconfcionable retayling wine at exceffive prices) yet have some of them unthankfully and insolently made the like contempts of your Maiefties second and third proclamations by selling wine ever fince much beyond the rates ordered and ftrictly commanded by your Maieftie; wherefore I moft humbly pray That your Maieftie will be graciously pleased to graunt me your moiety of the penalty upon fuch of them as I fhall be able to prove have fo daringly and undutifully prefumed to difobey your Maiefties third proclamation, some of them being (by report) very rich men by their long abuse of the fubject, and Forreiners in exaëting fuch unreafonable priſes for wines, their mingling and fuffitcating them, and by their very falſe meaſures.

And as in duty I fhall pray, &c.

From Sir Faithful Fortescue to Mr. Godolphin.

Good Mr. Godolphin, be pleased to let me know by this bringer, Mr. Felton, what is don in my petition I left with you, If granted I pray you let me underſtand whether you can & will doe me the favor you ſpoke off in helping me to a chapman for it, And for your curteſies in theſe particulers I fhall be

Your thankful ſervant

FAYTH: FORTESCUE.²

The gout keepes me priſoner in my chamber.

To the Kings moſt Excellent Maieſtie.

The humble petition of the Servants and Creditors of Sr. Ffaithful Ffortescue, Knight, late deceaſed Anthony Taleham, Samuell Mutton, Margery Stewſton, Henry Ruthen of the Iſle of Wight, and John Cary and Several others, Creditors,

Humbly Sheweth,

That the ſaid Faithfull Ffortescue during his aboade in and aboute the citty of London had

¹ State Papers, Charles II., Domestic, vol. 142, Record Office.

² This note has already been given in facsimile. It and the petition are calendered as belonging to 1664 or 1665. See Dom. State Papers, Charles II., vol. 109. By "chapman" is meant "purchaser."

contracted severall debts and then in the tyme of visitation he repaired to the isle of Wight for refuge from the contagion where dureing his aboade and a very tedious Sicknes he did not only contracte certaine debts, but left his Servants your said petitioners in a most distressed Condicion in a strange country in danger of arrests from their Creditors and wholly destitute of any releife or Subsistance, That dureing the Sicknesse of the said S^r. Ffaithfull Ffortescue he was often visited and relieved by Colonnell Walter Slingsby Deputy Governor of the said Island to whom in consideration of the performing the funerall rites, the payment of debts and Servants Wages of him the said S^r. Ffaithfull, he did assigne in writeing unto the said Colonell all his clayme, interest and pretencion to a certaine gracious graunt from your said Majestie of your Moyety of all fynes and forfeitures imposed by law upon retaylers of Wyne who exceede the prizes mentioned in the Act of Parliament and your Majesties proclamacions as may appere by the annexed assignacion made by the said S^r. Ffaithfull before his death to the said Colonell.

In tender consideration whereof your said petitioners doe most humbly implore your Majesties gracious favour for the confirmation of the said graunt unto the said Colonell of all Your Majesties moyety of all forfeitures made by the reteylers of wyne from the tyme of your Majesties last pardon unto your said Majesties late permission to advance the prizes of wyne, That thereby the said Colonell may be enabled to performe the will of the said S^r. Ffaithfull in discharging his funerall rites, paying his debts and Servants Wages.

And your petitioners shall ever pray, &c.

Assignment referred to in the foregoing.

Whereas his Majestie (upon my humble petition) was gratioously pleased to grant unto me his moyety of such fines as shall loyallye bee imposed upon wine Vintners for shew of contempte in selling wine by retaile beyond the rates ordered by acte of Parliament, and commaunded by his Majesties proclamations. I do herby assigne to my worthy friend Colonel Walter Slingsby a third part of the said moyetye due to mee by his Majesties grant: hee making payment of the other two parts unto mee or my Servant Margerye Stewston, and doe such needefull things as concerne my particular. And for our true performances hereof wee have interchangeably putt our hands and seales this 24th of May 1666.

FFAYTH. FFORTESCUE.

C.

Indorsed :—"His Ma^{ties}. L^{res} Dat 14th 8ber 1661,
ffor Thomas Fortescue esq^{re}. to be
Constable of the Castle of Knock-
fergus, at 6s. 8d. per diem."

CHARLES R.

Right trusty and right welbeloued Councello^r and right trusty & right welbeloued Coufins and Councelo^{rs} Wee greet you well Whereas Our Royall Grandfather of Famous memory by his Letters

G G

pattents under the great Seale of Ireland bearing date the 14th day of November, in the fourth yeare of his reigne¹ did give & grant unto Roger Langford Esq^r. and Faithfull Fortescue Gent. & the Survivor of them the Office of Constable of our Castle at Knockfergus in the Province of Ulster in Our Kingdome of Ireland with the Fee of three shillings Fower pence sterl p diem for the Exercise of the said Office and also twenty Warders for the Defence of the said Castle and Eightpence sterl a day wages for each of the said Warders The said Office Fee & wages to be held by the said Roger Langford and Faithfull Fortescue and the survivour of them as long as they well behaved themselves in the said Office with other large Conditions as by the said Letters Pattents appeareth And whereas the said office some years after by the Death of the said Roger Langford cam wholly by Survivourship to the s^d. Faithfull Fortescue (whom Our Royall Grandfather made Kn^t. and is now one of the Gentlemen of Our Privy Chamber attending Our Person) and hath by Petition humbly besought Us to accept of a Surrender of the said Letters Pattents and be graciously pleased to grant unto his son Thomas Fortescue other Letters Pattents of the said Office with the Title of Governour of Our said Castle and the Fee of six shillings Eight pence by the day for the Exercise of the said Office & eight pence a day for each of the sd. twenty Warders in Our said Castle, which petition in consideration of the Eminent Services done Our royall Father and Us by Our said trusty and welbeloued Servant S^r. Faithfull Fortescue wee are pleased to grant, therefore Our will and pleasure is and wee do hereby will and require you that upon Surrender made of the said Letters Patent before mentioned in Our Chancery of Our Kingdome of Ireland you forthwith by Advice of some of Our learned Councell there, do cause other Letters Patents to be made in due forme of Law under the great Seale of that Our Kingdome containing a grant unto the sd. Thomas Fortescue of the Office of Governo^r of Our said Castle at Knockfergus in Our said Kingdome of Irelande and also of the Fee of six shillings eight pence of Lawfull money of and in England a day unto him for the Exercise of the said Office and twenty Armed footmen or Warders for the better Defence and Safeguard of Our said Castle with eight pence of like lawfull money by the Day for every one of the said Footmen or Warders To haue hold and Enjoy the said Office of Governo^r of Our said Castle unto the said Thomas Fortescue his sufficient Deputy or Deputies as long as hee shall well behaue himselfe in the said Office And also to receiue the said six Shillings and Eight pence Fee a day for himselfe and eight pence a day for each of the said twenty Warders or Souldiers in Our said Castle for and during all the time the said Thomas Fortescue shall live and enjoy the said Office, to be paid by Our Treasurer under Treasurer or Receivo^r Generall of Our Kingdome of Ireland for the time being monthly and every month, which wee require may be duely paid them in regard the said Thomas Fortescue as Governo^r of Our said Castle or his Deputy & the said Warders are constantly to attend their Duty in Our Service in Our said Castle And also that the said Thomas Fortescue shall haue all such Fees Dutyes Custome fish Proffits royalties and Advantages whatsoever as were at any time formerly belonging unto Our said Castle and the sd Office of Constable thereof by virtue of any Letters Pattents heretofore made & granted by any of Our Predecessours to any Constable or other Co^mmander of Our said Castle And wee will and require you to cause such claufes of Grace and Favour and non obftantes to be therein inserted as were contained in the former Letters Patents granted unto the said Roger Langford & Faithfull Fortescue & also such other claufes and Advantages as by Our Learned Councell there or

¹ A. D. 1606.

by some of them shalbe devised or Advised for makeing this Our grant Advantagious & Effectuall to the said Thomas Fortescue, & these Our Letters shalbe as well to you Our Justices, as to all our Officers and Ministers whom it may concerne a Sufficient Warr^t. in that Behalfe Given at Our Court at Whitehall this 14th day of October, 1661, in the 13. yeare of Our Reigne.

By his Ma^{ties}. Comānd.

EDW: NICHOLAS.

Addressed :—" To our right trusty and Right welbeloued Councello^r, and to Our Right trusty and Right welbeloued Cousins and Councillor^s Our Lords Justices or other Our Cheife Governo^r or Governo^{rs} of Our Kingdome of Irelande for the time being." ¹

D.

The Will of William Fortescue, Esquire, of Buckland-Filleigh, A.D. 1580.

In the name of God Amen. The xvth day of y^e monethe of Aprill in the yere of our Lorde God 1580; I Williã Ffortescue of Buckland Ffilleigh in the Countye of Devon Esquire being of whole mynde & of p̄fect remembrance laude and prayse unto Almyghtye God make and ordayne this my p̄sent Testament concerning my laste Will in mañ & forme followinge that is to saye, First I comēde my soule unto Almyghtye God my Maker & Redeemer and my bodye to be buried in the p̄she Church of Buckland Ffilleighe abovefaide, and I bequeathe towards the repayringe of the Church of Buckland xiii^s. iiiii^d. Itē I bequeathe to the poore people of Shebbeare xiii^s. iiiii^d. Itē to the poore of Lyttel Torrington xiii^s. iiiii^d. Itē to the poore of Blacke Torrington xiii^s. iiiii^d. Itē to the poore of Shipwayfhe xiii^s. iiiii^d. Itē to the poore of Buckland Ffyllleighe x^s. Itē I geve & bequeathe unto Ffaythfull Ffortescue, Martyne Ffortescue, & Bartholymew Ffortescue my three sonnes all my Manor Messuages, Lands, Tenements seats rev̄sons services courts p̄q̄sites & heredytaments with their appurtenances whatsoever sett, lyinge and beinge within the p̄she of Peters Marland Shipwayfhe, & Shebbeare als Shartisbeare in y^e Countye aforefaide. My mind and will is that my sonne John Ffortescue and hys Heires shall have & enjoye all the Messuages Lands & Tenements w^h their appurtenances set lyinge & beinge in Buckland Ffilleighe althoughe they weare & are p̄te p̄cell & members of the Manor of Peter's Marlande, without denyal dysturbance or contradiction of the above Ffaythful, Martyne, & Bartholymewe Ffortescue their Heires or Assignes anythyng to the contrary notwithstanding: Itē I give and bequeathe to my said sonnes Ffaythful, Martyne, & Bartholymewe Ffortescue all my Estate right Tytle Leafes Interests, Leafes of Yeres which I have & be to come h̄after in one p̄cell of Lande called or knowen by the name of —elldowne sett, lyinge, & beinge w̄in the p̄she of Shebbeare als Shartisbeare abovefaide, And also certayne Messuages Lands & Tenements in Castle Wyke within

¹ Carte Papers, xlii. fol. 219.

the p̄ŷhe of Peters' Marlande aboveſaide. Itē I bequeathe to my ſonne Ffaythfull Ffortescue a Fether bede p̄formed my ſecond beſt Gelding and one braſen Crocke. Alſo I give & bequethe to my ſonne Ffaythfull Ffortescue fortye pounds of good & lawfull money of England as more at large expreſs'd in a peare of Indentures had & made betweene the ſaide William Ffortescue of the one p̄tie, Mr. Humffrye Specott, John Wekes Eſquire, George Arſcott Geñ, John Rawley & Thomas Bryne of the other p̄tie. Itē I geve and bequethe to my ſonne Martyne Ffortescue one fether bede performed, one braſen Crocke my beſt Gelding xl Pounds of good & lawfull moneye of Englande as more at large expreſs'd in the ſaide Indentures above named. Itē I geve & bequethe to my ſonne Bartholymewe one fether bede p̄formed my thirde beſte Gelding one braſen Crocke, and xl pounds good and lawfull monye of Englande to be payde as is expreſſed more at large in a peare of Indentures above named. Itē I give & bequethe to my daughter xiiij. good & lawfull moneye of Englande. Itē I geve and bequēthe to Thorne xli. Itē I geve and bequethe to every of my daughter Jane's Chyldren nowe lyv̄nge vi^s. viii^d. Itē I bequethe to every of my daughter Philippa's chyldren nowe lyv̄nge vi^s. viii^d. Itē I bequethe to every my daughter Catheren Chl̄dn nowe lyv̄nge vi^s. viii^d. Itē I bequethe to every my daughter Marye's Children nowe lyvinge vi^s. viii^d. Itē I bequethe to every my daughter Yeo's Children nowe lyvinge vi^s. viii^d. Itē I geve & bequethe to Awdry Ffortescue xl. good and lawfull monye of Englande. Itē I geve & bequethe to Thorne xx^s. Itē I geve & bequethe to Margaret Thorne xx^s. Itē I bequethe to Roger Ffortescue my beſt ſilver Salt Seller or Tub, the uſe thereof to remayne with my ſonne John Ffortescue duringe his lyfe. Itē I geve and bequethe to my daughter Ffrances Ffortescue hundred pounds of good & lawfull monye of Englande to be the firſt payde of all my legaces as in the ſayde Indentures above written more at large it douthe appeare And if the ſaide Ffrances Ffortescue doe not marrye yett my will is that ſhe ſhall be payde the hundred pounds whatſoever claufe ſentence or wordes is in the ſaide Indres or this Will to the contrarye notwithstandinge. I geve my God daughter Margaret Toder xii^d. The reſidewe of all my goods not above geven nor excepted I geve & bequethe to my ſonne John Ffortescue my Heyre whom I do appoint ordayne & make my lawfull Executor.

Overſeers to ſee my ſeſſal legaces p̄formed I appoint—Ffortescue, John Wekes Eſquires, & George Arſcott Gen. and towards their paynes I geve to every of them xx^s. Provided alwayes that my will is that the Tenants in Buckland Ffilleigh wh̄ I have geven to ſonne John Fortescue and one p̄cell of the Manner of Peters Marland ſhall doe their ſute & ſervice to the Courts of Ffaythfull Ffortescue Martyn Ffortescue Bartholymewe Ffortescue & to their Heyres and Affignes as they have accuſtomed heretofore to do holden at Peters Marland.

Theſe Witneſſes

RICHARD WHELER
JANE WHITEARE
THOMAS DABB
EDWARD COLLE.

Endorſed :—Teſtīm et Adminiſtrtio boñ^m Willm̄ Ffortescue Armiger
Buckland Ffilleigh & probat^m coñm Mgr Nichs Wyatt
ap. Torriton Major vi. die menſis Aplis anno D 1583.

Office copy, Court of Probate, Exeter Registry, taken November 23rd, 1865.

The Will of John Fortescue, Esquire, of Buckland Filleigh, A.D. 1603.

In the name of God Amen the xth day of Februarie in the year of the reign of our sovereign Lord James by the grace of God King of England France and Ireland Defender of the Faith & of Scotland the xxxvijth & in the year of our Lord M.D.C. and 3. I John Fortescu of Buckland Filleigh in the County of Devon Esquire being thanks be to God of good and perfect memory do ordain make & declare this my last Will & Testament revoking hereby all other former Wills & Testaments whatsoever heretofore by me made & that all gifts legacies & devises whatsoever in them & every of them contained or written to be from henceforth utterly frustrate and void & of none effect. And first I bequeath my soul to Almighty God my Creator Redeemer & Saviour & my body to be buried in the Parish Church of Buckland Filleigh aforesaid. Item I give to the Poor of the Parish of Buckland Filleigh 20^s. to be delivered to the Overseers of the Poor within 3 months next after my death. Item I give to the Poor of each of the Parishes of Sheepwash, Hygh Heannton, Black Torrington, and Shebbere v^s. apiece to be likewise delivered to the Overseers of the aforesaid several Parishes within 3 months next after my death. Item I give and bequeath to Grace Fortescue my daughter 3 hundred pounds in money to be paid within 2 years next after my death. Item, I give to Anne Fortescu my youngest daughter 3 hundred pounds sterling to be paid her within 4 years next after my death, but my will & meaning is that if either of my foresaid daughters shall happen to die before the time of payment of her portion as aforesaid that 2 hundred pounds of her portion so dying shall cease & extinguish in my Executor & the other hundred pounds shall be & remain to her sister that shall survive & therewith to make up her portion that so overliveth the other to be 4 hundred pounds, which said hundred pounds so remaining over shall be paid at such time as it should have been if her sister had lived; and if both of my said daughters shall happen to die before their time of payment before limited, then so much as shall not be payable at the time of the death of her which liveth longest to cease determine be & extinguish in my Executor, except one hundred pounds thereof which said hundred pounds so excepted shall be & come to my two sons John & Faythfull which I bequeath to them; & my farder will & intent & meaning herein is that if my said Daughters or either of them shall be by me preferred in marriage in my lifetime then so much money as shall be paid or satisfied towards their or either of their marriages at the time of their death shall be abated & deducted out of their portions or her portion hereinbefore given & bequeathed that shall be so by me preferred in marriage. Item I give & bequeath to John Fortescu my son 50 pounds in money to be paid within five years next after my death. Item, I give and bequeath to Faythfull Fortescu my son 50 pounds in money to be paid within 6 years next after my death, & if either of my said sons shall happen to die before the foresaid time of payment then his portion before given to remain & be also to his foresaid other brother so overliving, and the 50 pounds so happening by death to be paid at such time as it should have been if the other brother had lived. Item, I give & bequeath to Hughe Fortescu son of my brother Martyn Fortescu x pounds sterling to be paid within 7 years after my death & if the said Hughe shall happen to die before the end of the said 7 years then this legacy to him to be void and extinguish. Item, I give and bequeath to Mary Cantill of Great Torrington sometimes my wife's servant to bring up my children twenty nobels to be paid her within 8 years next after my death & if she happen to die within the said time of 8 years that then this legacy to her to be void & extinguish, all of which aforesaid legacies to be paid at or in my Mansion House of Buckland Filleigh aforesaid at the time before limited. Item I give to John Fortescu my son a good featherbed

with his bolster, & with sheets and blankets to the same, & also my best gelding which I shall have at the time of my death & my best saddle & other furniture to the same belonging. Item I give to the said Faythfull Fortescu my son a good featherbed with his bolster, sheets & blankets & also my second best gelding with his saddle & other furniture thereunto belonging. Item I give & bequeath to the said Grace Fortescu my daughter a good featherbed with his bolster sheets & blankets. Item I give & bequeath to the said Ane Fortescu my daughter a good featherbed with his bolster sheets and blankets. Item my farder will is that my Executor shall give unto my said two daughters Grace & Ane their several diets fit for them during such time & until their portions shall be severally paid unto them except my said Executor for the payment of my former legacies shall for a time have his housekeeping upon my Barton of Buckland-Filleigh. Also my will intent & meaning is that all other my Goods & Chattells or Leases for years plate bedding napelle linen pots panes pewter vessels, brasse vessels all my iron vessels & instruments wooden vessels & all my wooden stuff & implements of household & all my Ploughs & Plough stuff Waynes & Wheels & all my instruments of husbandry which I now have and also the fourscore pounds xiii^s. & 4^d. which Roger Fortescu my son doth now owe unto me shall be & remain to the use of the said Roger my son towards the payment of my legacies before in these presents given & bequeathed, to whom I give & bequeath the same by this my last Will & Testament except it shall fortune me in my lifetime to bestow my said daughters Grace & Ane or either of them in marriage then my meaning & intent is to dispose of the Lxxx^l. xiii^s. 4^d. aforesaid towards the payment of their portions in marriage as to me shall seem best, & the said Roger my son to pay the same if I shall require it. Item my farder will & intent is that Roger my son & heir whom I do ordain appoint constitute & make my whole sole & lawful Executor to pay these my legacies in this my last Will & Testament given & bequeathed & in consideration thereof all other my goods movable & unmovable not above given or bequeathed I give and bequeath to this my said son Roger Fortescu, and if it shall happen at any time hereafter any ambiguite doubt or question to grow or arise by reason of imperfection defect of or in any words clauses or sentences in this my present last Will & Testament or my true intent and meaning therein that then the farder & better explanation interpretation & construction of the said doubt & ambiguite I will that my Overseers shall expound explain and interpret according to their wisdom & good discretions. And I make Overseers of this my last Will praying to see the same to be truly & duly executed my trusty & faythfull friends John Fortescu of Filleigh Esquire, Lewis Pollard of Aller Esquire, Richard Wheller Clerk, Faythfull Fortescu of Northam, & Martin Fortescue of Hatherleigh Gent^m to be my Overseers of this my last Will and Testament.¹

JOHN FORTESCU.

Witneses present

NICHOLAS GILBERD

JOHN NORLIGHE

HUGH NORLIGHE

Teste ME ARTHURO WARRIN*Teste* ME EDMUNDO EDYE

EDMUND PYPER & others.

This is a true coppie verbatim of my last Will & Testament.

¹ The spelling of this will has evidently been modernized by the transcriber. John Fortescue the Testator in this will was son of William Fortescue the Testator in the preceding will, and father of Sir Faithful Fortescue, who was father of Sir Thomas Fortescue the Testator in the last will; these four documents relating to as many successive generations.

Family of Dromiskin, etc.

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*Endorsed:—*Test^m et Inven. bonor. John Fortescue de Buckland
Filleigh Esquire. Probatum coram M^{ro}. Nich^s. Wyatt
apud Torrington Magna quinto die mensis Maij Anno
D^m. 1604.

Office copy, Court of Probate, Exeter Registry, taken November 23rd, 1865.

Inventory of the goods of Sir Faithful Fortescue, Knight.

Extracted from the District Registry of Her Majesty's Court of Probate at Winchester.

A TRUE and perfect Inventory of the Goodes of Sr. Faithfull Fosques Knight that was left after his
decease at the Manor of Bowcomb, the first day of June Anno Dom. 1666.

	<i>s.</i>	<i>d.</i>
It' one blake belte imbrodred with Gold	xv	
It' one blake pinkt taby doublett	i	vj
It' one blake tafety dublett	j	vj
It' one blake filk grogerum dublett	ij	
It' one blake flower fatten suite and cloake	xl	
It' one paire of hofe of Tamalete	ij	
It' one velvett Coate	xl	
It' one blake pinkt tabby cloake	xv	
It' one blake broadcloath cloake	xv	
It' one blake lining of a cloake being bayes	ij	vj
It' one paire of filke booate hofe topps	j	
It' one beau hatt	j	
It' one night gowne	v	
It' one riding coate	viii	
It' one mounter capp		vj
It' two capps wolles	ij	
It' foure paire of stokine, two of woisted & two of olhames	v	
It' two paire of gloves	iiij	
It' two paire of flanell wafketts & one other wafcoate	vj	
It' one paire of draweres	—	
It' fower hollen changes	xx	
It' three paire of white boate hofe topps	iiij	
It' foure paire of old linin stockenes	v	
It' eleven bandes	iiij	
It' fix paire of coffes	—	
It' fix handkerchers	j	vj
It' one doffen & five of Napkines	vj	viii
It' 23 bookes greate & small besides papper bookes	xl	

Family of Dromiskin, etc.

	s.	d.
It' one prospective glafs	j	
It' one fun diall	ij	vj
It' three knives	j	
It' one ftandige		vj
It' halfe a dozen of pewter plates		vj
It' on cafe of botles		v
It' for one snuffer pan & extinguiſher & two glaſſes	j	
It' on fticke	—	
It' one paire of ſpures	—	
It' one greate truncke, & two litle ones & one box	x	
It' one paire of ſhoofes	j	
It' ſome older things	ij	vj
<hr/>		
Sume	xij	xv viij
<hr/>		

ROBERT REEVES

RICHARD COOKE.

Decimo quarto die menſis Septembris Anno Dñi 1668 Per venſem virū dnum Moundeford Bramſton militem ac legis dōrem Rdi patris dñi Georgii Winton Epi vicarii genlis &c. Admōio omniū bonorū &c. p'd' dñi Faithfull Fortefque Militis defuncti comiſſa fuit Henrici Ruffen de Cariſbrooke Creditor prinſi dñi defuncti de bene &c. et eque' ſolvend' debita &c. Jurat' pſolr juxta &c. ſalvo jure cujuſcumque.

Oblig. ipe et Oliver' Stagg'
de Northwood Yeoman.

*Endorſed:—*1668. Dñi Faithfull Fortefcue de
Cariſbrooke F. Ad°.

Office copy, Court of Probate, Wincheſter Registry, taken A.D. 1866.

The Will of Sir Thomas Fortefcue, Knight.

IN THE NAME OF GOD AMEN. I Sir Thomas Fortefcue of Dromiſkin in the County of Lowth Kn^t being weak in body but of ſound mind and memory, praiſed be God, doe make this my laſt Will and Teſtament in manner following; vid^t. Firſt I recommend my ſoul to God Almighty who gave it, and my body to be buried in ſuch manner as my Executor hereinafter mentioned ſhall think fitt, but I deſire it may be done as private as poſſible, and as to ſuch worldly ſubſtance as it has pleaſed God to bleſs me with I do make the following diſpoſition, Imprimis, I do give deviſe and bequeath to my Grandſon Thomas Ffortefcue eld. ſon to Chittcheſter Ffortefcue my ſon deceaſed the leaſe which I have of the mannor town and lands of Dromiſkin with all its rights members and appurtenances in as full large ample and beneficial a manner as the ſame was ſett and deviſed to me by his Grace the Lord Primate of Ireland, and I being likewise poſſeſt of Dracott's land ſituate lying and being in the Pariſh of Dromiſkin by virtue of a Mortgag I do give and diſpoſe thereof and all the right title and intereſt I

have therein to my afors^d Grandson Thomas Ffortescue. Item I do leave and bequeath to my son William Ffortescue the sum of five shillings sterling: and as to all other my reall and personall estate of what nature or kind soever I do give and dispose of and bequeath the same to my afors^d Grandson Thomas Ffortescue excepting what is herein mentioned and excepted; to witt I do leave and bequeath the summe of thirty pound sterling to be given to the poor and to be put into the hands of the trustees after mentioned to be by them disposed of as they shall think most convenient. Item I do give and bequeath unto Matthew Smalfon the summe of three pound sterling: Item I do give and bequeath to my Maid Sydney Ball the summe of five pound sterling over and above her wages; and I do order and appoint my afors^d Grandson Thomas Ffortescue to pay all the legacies aforementioned and that as soon as possible he can do the same. And I do hereby nominate and appoint my afors^d Grandson Thomas Ffortescue to be sole executor of this my last Will and Testament hereby revoking and recalling all other and former Will or Wills whatsoever heretofore by me made, and I do hereby likewise appoint my loving friends James Foxall of Baun in the County of Lowth Esq^r., Brant Moore of Ghormanstown in the s^d County Esq^r., and John Moore of Drombannogher in the County of Ardmagh Esq^r. to be trustees and overseers of this my last Will and Testament and that they be aiding and assisting to my s^d Executor in the just and true execution of this Will, and I charge him on my blessing to be guided and directed by them and the surviv^r of them, and I desire my said Exor^r on any difficulty that may arise on this my Will to apply to them and the surviv^r of them for advise and pursue it as strictly as he can. In witness whereof I have hereunto set my hand and seal this 3rd of xber 1709. Signed sealed and published

THO: FORTESCUE (Seal)

his
In presence of STEPHEN (+) DOYLE FLL DUNBAR
mark

Probat et Approbat &c. coram me die 22nd May 1710.

MOSSOM JOYE.

Extracted from her Majesty's Court of Probate, District Registry of Armagh, the 20th day of March, 1865.

CHAP. XII.

The Fortescues of Punsborne and Falkborne.

THE completion of our accounts of the descendants of Sir John Fortescue, the Governor of Meaux, through his eldest son, Sir Henry, and his second son, Sir John the Chancellor, leads us to consider in the next place the third son of that personage and his descendants. This was Sir Richard Fortescue,¹ of whom we first hear as going to France in 1421 or 1422. In one of those years Letters of Protection are issued to him to go "in partes transmarinas;"² he is styled "of Ermyngton," the parish where Wymptone, his family seat, was situated; and he no doubt joined his father in the French wars. He was in Devonshire again before 1431, as may be seen in the petition of the Sackvilles in a former chapter. At his father's death, about 1435, he succeeded to his Hertfordshire estate, and is styled "of Punsbourne,"³ otherwise Ponsbourne, otherwise Ponnybourne,⁴ a manor near Hatfield.

He married Alice,⁵ daughter of Sir Walter de Windesfor, of Windfor, in Yealmpton, and by her had issue three sons and one daughter. The sons were Richard, the eldest, and a second and third son, both of whom were named John, according to a not unusual but most inconvenient practice, especially so at a time when a second Christian name was never added. The daughter was Elizabeth, who married three times; lastly to Sir John Crocker, of the old family of that name, seated for many generations at Lynham, in Devon, and a branch of which afterwards inherited Windfor from the Windfors.

Sir Richard is not heard of again until the beginning of the Wars of the Roses. It so happened that the first conflict of Henry VI. with the Yorkists took place at St. Alban's, in the immediate neighbourhood of his residence. He adhered to the King's cause, and fighting under the Duke of Somerset against York, in what is called the first battle of St. Alban's, he, with many others and their leader, was killed. Stow, in his Chronicle, thus narrates the issue of the fight:⁶—

¹ Pedigrees of Devon Families, Harl. MS. 1538, fol. 87; Visitation of Devon, 1564, collated with various Pedigrees at Oxford; Biograph. Brit. iii. 1987, 2001.

² Gascon Rolls, 1421-22.

³ Pedigree in Rawlinson MS. Brit. Mus. B. 75, f. 93, 95, 97.

⁴ Clutterbuck's Herts, ii. 348.

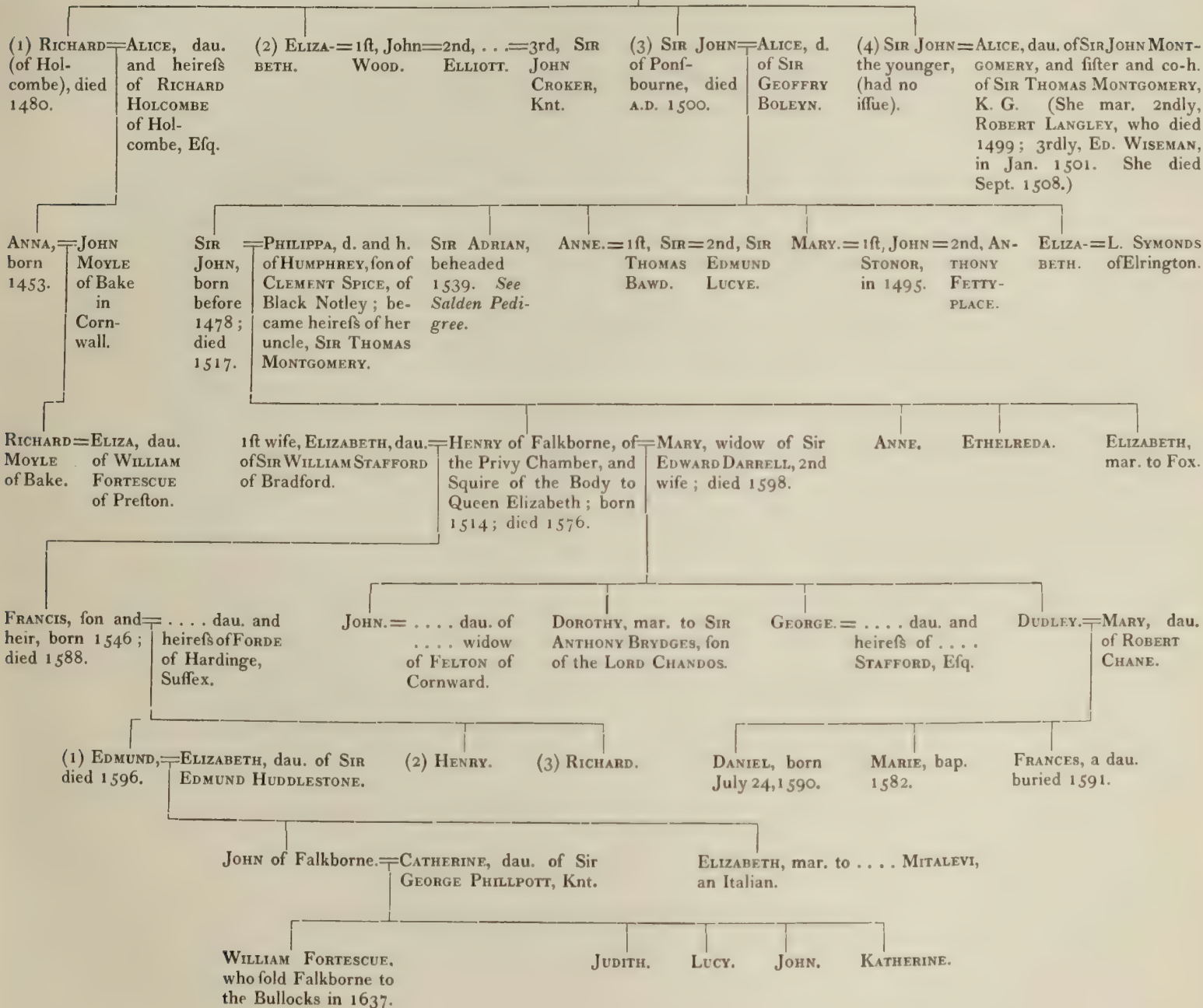
⁵ Some authorities give Agnes Holecombe as Sir Richard's wife, whereas she was the wife of his eldest son, Richard, as we shall see. I have followed the Pedigrees in the College of Arms, in the Harl. MS. 5871, in the Visitation of Devon, 1584, and the Visitation of Cornwall in Harl. MS. Also Risdon (p. 389), who says that "the Fortescues of the East parts of England are descended from Richard Fortescue, whose wife was Agnes de Windfor."

⁶ Stow, Chronicle, p. 399.

FAMILY OF PUNSBOURNE AND FALKBOURNE.

SIR JOHN FORTESCUE, Governor of Meaux in 1422.

SIR RICHARD FORTESCUE, third son, killed 1455, at the Battle of St. Albans. — AGNES, dau. of SIR WALTER DE WINDSOR, of Windfor in Devon.



"The Earle of Warwicke took and gathered his men together with him, and brake in by the Garden side into the said Towne, betweene the sign of the Key and the Exchequer in Holywell Streete; and anon as they were within the said Towne they blew the trumpet and cried with an high voyce 'a Warwicke a Warwicke,' that marvel it was to heare. And till that time the Duke of Yorke might never have entry into the Town, and then with strong hand they brake by the barriers and fought a fierce and cruel battell, on the which were slain on the King's party, Lords of name: Edmund Duke of Somerset, Henry Earle of Northumberland, the Earle of Stafford, the old Lord Clifford, Sir Robert Vere, Berten Entewell, William Chamberlayne, Richard Fortescue, and Ralph Ferrers Knights, &c. &c. and many others slaine to the number of five thousand; and on the other part were slain about six hundred persons. The King was shot into the neck with an arrowe."

By his father's death the eldest son, Richard, succeeded to some Devonshire property. He married, about 1453, Agnes, daughter and heiress of Richard Hollacombe, or Holecombe, of Holecombe, in Devon, and had by her an only child, Anna, his heir, aged twenty-six years at her father's death, who married John Moyle, of Bake, in Cornwall, and left a son, married to Eliza, daughter of William Fortescue of Preston. Richard died February 27th, 1480.¹ An Inquisition taken at Ermyngton, on the 26th of October, 20th Edward IV., found him to be seized at his death of lands and messuages in Holecomb, Kayton, Doveton, and Langwell.

Of the elder of the two Sir John Fortescues,² sons of Sir Richard of Punborne, mentioned in the Pedigrees, we know but little; he must have become a knight at an early age, for we find a Sir John Fortescue³ in the 34th of Henry VI., 1455-56, who can be none other than our present subject, receiving from John Troyer a conveyance to him and his heirs of the manor of Mymmehall, with all the lands, &c. which formerly belonged to John Brokeman, in the parish of Northmymmes.

He married Alice, the elder of the two sisters of the same name (who was in this respect in a like case with her husband), daughter of Sir John Montgomery, and sister and afterwards co-heir of Sir Thomas Montgomery, Knight of the Garter, of Falkborne in Essex.

They do not appear to have left any children, for we find that Alice Spice, his wife's niece, who married Fortescue's nephew, John Fortescue of Punborne (commonly styled in the Charters "John Fortescue of Herts"), inherited eventually the whole of the Montgomery estates—a subject to which we shall revert further on.

This Sir John died before his wife.⁴ She married a second time, to Robert Langley,

¹ See the Inquisition in the Appendix, A.D. 1480, and Visitation of Cornwall in Harl. MS.

² See for two Sir Johns, brothers, Pedigree in Visitation of Bucks, 1525 and 1634, and Pedigree in Visitation of Bedfordshire, 1582.

³ Close Rolls, Henry VI., p. 9.

⁴ Morant's Essex, ii. 116.

who died August 28th, 1499; and a third time, on the 17th of January, 1501, to Edmund Wifeman of Rivenhall in Essex. Alice herself died in September, 1508, and was buried in the Church of Falkborne.

SIR JOHN FORTESCUE THE YOUNGER, OF PUNSBORNE.

The younger of the two Sir Johns, born not later than 1440, inherited Punsborne from his father. He appears to have received grants either of lands or office before 1464; the Act of Resumption for that year including a saving "to John Fortescue, Esquire, of all graunts made to him by our Letters Patentess."¹

In 1471 the King, to whom he was an Esquire of the Body ("Armiger de Corpore Nostro"), sent him into Cornwall, which was ill-affected to his cause, and was looked upon as "the back door of the rebellion,"² as sheriff of that county and duchy; and he was re-appointed as such from year to year, until the end of 1476; unless we except the year 1475, when the king's brother, Richard Duke of Gloucester, appears as sheriff, although Fortescue was almost certainly his deputy. Hals informs us indeed that the Duke of Gloucester's appointment was for life, and that "all the persons in the list set down after Fortescue were not absolutely sheriffs, but deputies under the said duke."

When Fortescue was in the second or third year of his shrievalty he was called on to act against one of the principal surviving adherents of Henry VI., namely, John De Vere, Earl of Oxford, who, after the battle of Barnet and capture of Henry, had fled into Scotland and thence into France. He was so uneasy in his exile and so daring in his disposition as to collect ships and men with which he for some time kept the south coast of England in alarm by his frequent landings and captures; and finally, on the 30th of September in 1473, he surprised the fortrefs of St. Michael's Mount, that well-known object near Penzance in the extreme west. Here he was besieged and assaulted by Sir John Arundel of Trevice, but always without success, until at last Arundel was slain on the sands at the foot of the mount.³ Then Henry Bodrugan commanded the besiegers, but made no progress; but, on the contrary, was thought to have an understanding with the earl, whom he secretly favoured, and allowed to lay in fresh supplies of provisions. When this suspicion became known to the King, he issued a commission "empowering John Fortescue, one of the Esquires of the Body, and Sheriff of Cornwall, Sir John Crokker, (who had married Fortescue's sister,) and Henry Bodrugan, to oppose the Earl of Oxford;"⁴ the effect of which was to supersede Bodrugan, and to place the conduct of the siege altogether under Fortescue the Sheriff, who, however,

¹ Rolls of Parliament, v. 540.

² Hals's MS. History of Cornwall, quoted in Polwhele's Cornwall, iv. p. 45.

³ Hals, in Polwhele.

⁴ Lyfons's Cornwall, p. 140.

was hardly more successful than his predecessor; for his "frequent assaults were always and in all places repulsed with loss, the fort being as stoutly defended within as it was assaulted without." The place thus appearing too strong for its assailants,¹ "and all the circumstances being transmitted to the King by Mr. Fortescue the Sheriff; the King, for the prevention of further bloodshed, ordered him to have a parley with the Earl, who returned for answer, 'That if the King would pardon the offence of himself and his adherents, and grant them their lives, liberties, and estates, that then he would yield up the fort to his use; otherwise, they would fight it out to the last man.'" Accordingly the King ordered a free pardon under the broad seal of England to be made out to them; which was sent down, and by Mr. Sheriff Fortescue² delivered to the Earl, who accepted its conditions, although less lenient than he desired, "to the great quiet and content of all parties." Whereupon the fort was yielded. The Earl remained a prisoner in the Sheriff's hands, because the pardon extended only to the lives of himself and his companions, and not to their liberties, as Hals implies. This will be seen by reference to the document in "the Rolls of Parliament," where the King grants "to the aforesaid Earl and to his brothers George and Thomas De Vere grace and pardon for their lives, their bodies to be kept in safe custody in whatever place, and for whatever time it may please him; their lands and tenements to be at his disposal in whatever way he shall see fit."

In accordance with these conditions Oxford was sent to the Fortrefs of Hammes in Picardy, where he remained in confinement during the rest of the reign of Edward, and until his escape before the close of that of Richard III., when, as we shall see, Sir John Fortescue was again in his company. The earl's estates were so rigorously confiscated that his countess was forced to live upon the alms of her friends.³

The defence of the mount lasted for several months; and even after the dismissal of Bodrugan, and notwithstanding Fortescue's more active measures against it, the place held out from December 23rd, 1472, to the 15th of February, 1473.⁴ Oxford's provisions would have sufficed until the next summer, so well had he victualled his stronghold. Holinshed gives the strength of his party at three hundred and ninety-seven persons.

The account of the transaction in "Warkworth's Chronicle" is so quaint and graphic that I subjoin it. He says:—

"In the xiii. yere of the regne of Kynge Edward, Sere Jhon Veere Erle of Oxenforde that withdrew hym frome Barnetfelde and rode into Scottlonde, and from thence into Fraunce afailed, and ther he was worshipfully received.

¹ W. Hals in Polwhele, iv. 45.

² Fortescue is styled in the original document "Johannis Fortescue Armiger pro Corpore Nostro." Rolls of Parliament, vi. 149, 14 Edward IV.

³ Kennett's Complete History of England, vol. i. p. 457.

⁴ Warkworth's Chronicle, last page; and Holinshed, iii. 428.

"And in the same yere he was in the see with certayne schippes, and gate grete good and rycheffe, and afterwarde came into weste countre and with a fotule poynte of werre gate and enteryd Seynt Michaels Mount in Cornwayle, a stronge place and a mygty, and can not be geett yf it be wele vytaled with a fewe menne to kepe hit; for xx^{ti} menne may kepe it ageyne alle the world.

"So the feyde Erle with xx. score menne save iii. the last day of Septembre the yere aforefayd enteryd fyrst into the feyde Mount, and he and his menne came doune into countre of Cornwayle to beseige the feide Mount, and so he dyd; and every day the Erle of Oxenforde's menne came doune undere Trewis and spake with Bodrygham and his menne; and at the last the faide Erle lacked vytayle, and the feyde Bodrygham suffered hym to be vytailed; and anone the Kyng was put in knowlache therof; wherfor the feide Bodryghan was discharged, and Richard (John) Fortescue, Squyere for the body, by autoryte of the Kyng toke uppone honde to lay sege to the forseide Mount &c. &c. And so gret dyversione roose betwyx Bodrygan and Fortescu whiche Fortescu was shireve of Cornwayle. And the feide Fortescu layed seige the xxij^{ti} day of Decembre the yere aforeseide; And for the most party every day eche of them fought with the othere, and the feide Erle's menne kyllled diverse of Fortescu's menne; and somtyme when thei hade welle y-foughte thei wolde take a trewis for one day and a night, and some tyme for two or thre dayes. In the whiche trewis eche one of them spake and communde with other.

"The Kyng and his counsaile sent unto dyverse that were with the Erle of Oxenforde, prevely, their pardones, and promised to them grete giftes, and landes, and goodes, by the whiche dyverse of them were turned to the Kyng ayenst the Erle; and so in conclusion the Erle had not passynge viii. or ix. menne that wolde hold wythe hym, the whiche was the undoyng of the Erle; For this is proverbe and a sayenge, that 'a castelle that spekythe and a womane that wille here thei wille be gotene both.'

"For menne that bene in a castelle of name that wille speyke and entreat with their ennemys, the conclusion therof is that losynge of that castelle; and a womanne that wille here foly spokynge unto hyre, if sche assent not at one tyme, sche wille at another.

"And so this proverbe was prevede trewe by the feide Erle of Oxenforde, whiche was fayne to yelde up the feyde Mount, and put hym in the Kyngis grace; If he had not do so his owne menne wolde have brought hym oute.

"And so Fortescu entered into the feyd Mount the xv. day of Februray the yere aforefayde, in the whiche was vytayle enogh tyll Midfomer aftere.

"And so was the Erle aforefeyd, the Lord Bemonde,¹ two Brotheres of the feyde Erle, and Thomas Clyfforde, brought as a prissonere to the Kyng; and all was donne by theroun foly."

¹ Beaumont.

This task performed, Sir John was still continued as sheriff in Cornwall until the end of 1476 or beginning of 1477; he received during this last year of his shrievalty (as a reward for his services), a pension from the King of forty marks yearly, and a confirmation of his appointment as Esquire of the Body.¹

His marriage must be referred to some time in this period; it could hardly have taken place later than the year 1475, judging by the age of his second son Adrian, who was a married man in the year 1499.²

His wife was Alice, youngest daughter of Sir Geoffrey Bullein of Boleyn, of Norfolk, Lord Mayor of London in 1457,³ who had married Anne, daughter and co-heir of Thomas Lord Hoo and Hastings, Knight of the Garter, and who was by her, father of Thomas Bullein, created, in consequence of the marriage of his daughter Anne Boleyn with Henry VIII., Earl of Wiltshire and Earl of Ormond. Camden, in his "Annals of the Reign of Elizabeth," thus dilates on that queen's connection with the Boleyns:—

"Abavus (Elizabethæ) erat Galfridus Bolenus, Prætor Urbis Londini anno 1457, eodemque tempore Equestri dignitate ornatus; vir integer, ea existimatione ut Thomas Baro. Hoo et Hastings, ex ordine Georgiano filiam et heredem unam illi in uxorem dederit; Ea opulencia ut filias in splendidas familias Cheniorum, Heidonorum, et Fortescutorum elocaverit, filio autem patrimonium reliquerit, et mille libras monetæ Anglicæ egenis in urbe Londino, et ducentas in Norfolciâ erogandas legaverit."⁴

Sir Geoffrey Boleyn's eldest daughter Elizabeth married Sir Henry Heydon of Baconsthorp;⁵ his second, Alice, married Sir John Fortescue; and the third, Isabel, married William, son and heir of Sir John Cheyney.

He is next heard of on the occasion of the installation as Bishop of Ely of John Morton, afterwards Archbishop of Canterbury and Lord Chancellor. This remarkable man had been, as may be remembered, one of Chancellor Fortescue's fellow-exiles, and they had been both, upon the submission to Edward IV., admitted to his favour. Sir John of Punfborne, on the 29th of August, 1479, attended his uncle's friend at this ceremony; and at the great banquet afterwards, he is named as one of eleven laymen of note who were seated at the "high dees" in the great hall, on the left hand of "my Lord of Ely."⁶

¹ French Rolls Pat. 16 Edward IV.

² Patent Rolls, 10 Henry VII.

³ Clutterbuck's Herts, iii. 94. See pedigree of the Boleyns there given; and Blomefield's Norfolk, vi. 387. In proof that Alice Montgomery did not marry a direct forefather of Sir Adrian Fortescue, observe that at Salden the Fortescue and Bullein arms were quartered together, but not the Fortescue and Montgomery coats, as Cole's MSS. will show.

⁴ Camden's *Annales Rerum Anglicæ*, reg. Eliz., by Hearne, 3 vols. 8vo. vol. i. p. 1.

⁵ Blomefield's Norfolk, vi. 387.

⁶ Bentham's *History of Ely Cathedral*, vol. i. p. 179; and the bill of fare, and religious verses rehearsed between each course, in the Appendix to that work.

In the year 1481 Fortescue served as Sheriff of Hertfordshire and Essex; and in the next year, or the next but one, he was sent to Calais as one of the chief officers in command there. Upon the death of Edward, on the 29th of April, 1483, he was continued in his post by Richard III. by an order dated the 28th of June in that year,¹ being two days after his accession and before the murder of Edward V.² He is then styled, "Maister-porter of the town of Calais."

The persons serving at Calais and its marches at the time were Lord Dynham, Governor of the town of Calais, and the King's Deputy there; Sir Humphrey Talbot, Marshal; John Foskewe, Maister-porter; Adryan Whitell, Controller; Sir Richard Tunstall, Deputy of the Castle; and Sir John Dunn, Deputy of the tower of Risbanke; all of whom were continued during the King's pleasure.

And not many days later he, as one of "the Councillors of the King" at Calais, and nine others, of whom Sir John Dynham and Sir John Blount of Mountjoye are the two first, were named on a commission, to inquire into and arrange sundry breaches of the truce between France and England by subjects of both countries.³ Fortescue is called here "Major villæ Nostræ Calisii;" while Stow⁴ calls him "Protector" of the town, and Rapin, "Governor of Calais."⁵

We find two Patents,⁶ both dated the 5th of March in the next year, 1484, one of which appoints him Esquire of the Body to the new King, and the other adds a grant of fifty marks yearly, as a salary for that office.

Fortescue, however, was not fated to remain long in the service of the usurping monarch, for, before the end of this year, Richard's subjects, on both sides of the straits of Dover, were ready at any time to revolt. The Earl of Richmond was then in Paris, received by the French king; and the Earl of Oxford, still a prisoner at Hammes, found no difficulty either in leaving his prison or in taking along with him Sir John Blount, in whose keeping he was, as well as Sir John Fortescue, the Master-porter of Calais. Thus Fortescue and the Earl came together once more, and with Blount proceeded to join the Earl of Richmond in Paris. I will give Holinshed's account of the transaction in his own words:⁷—

"While the Earl was thus attendant in the French Court, John Vere, Earl of Oxford, which, as you have heard before, was by King Edward kept in prison within the Castle of Hammes, so persuaded James Blunt, Captain of the same Fortrefs, and Sir John Fortescue Porter of the Town of Calais, that he himself was not only dismissed and set at liberty; but

¹ Letters and Papers, Rich. III. and Hen. VII. by Gairdner, vol. i. p. 14.

² The date of the murder of the two princes is supposed to be August 1st, 1483.

³ Rymer, V., part iii. p. 135. Ed. Hagæ.

⁴ Annals, 467.

⁵ Rapin, vol. i. 644.

⁶ Patent Rolls, 1 Rich. III.

⁷ Holinshed, iii. 427 (4to.)

they also, abandoning and leaving their fruitful offices, did condescend to go with him into France to the Earl of Richmond, and to take his part. But James Blunt, like a wise captain, because he left his wife remaining in the Castle before his departure, did fortify the same, both with new provisions and fresh soldiers. And here, because the names of Vere and Fortescue are remembered, it shall not be amiss, somewhat out of due place, yet better a little out of order than altogether to omit the same, to add a supplement for the further perfecting of a report recorded in page 329, and adding some light also to their present place touching the said persons, with others. The surname of Fortescue is deduced from the strength of his shield, wherof that Family had first original." Then follows an account of the siege of St. Michael's Mount, after which the Chronicler returns to his narrative thus:—"When the Earl of Richmond saw the Earl of Oxenforde, he was ravished with an incredible gladness, that he, being a man of so high nobility, and of such knowledge and practice in feats of war, and so constant, trusty, and assured (which alway had studied for the maintenance and preferment of the House of Lancaster) was now, by God's provision, delivered out of captivity and imprisonment, and in time so necessary come to his aid, succor, and advancement."

This defection of Fortescue and Blount was forthwith punished by the attainder of both of them.¹ The former remained with the Earl of Richmond, and attended him on his expedition to England in August, 1485, landing with him at Milford Haven² on the 6th of that month; when Henry performed an early act of royalty³ by knighting his follower, who, although he had long been commonly called "Sir John," a title given to Esquires of the King's Body, was not until now so named in formal documents. He then marched through Wales into Leicestershire with the army, and fought at the decisive battle of Bosworth Field, in that county, on the 22nd of August; where, after a struggle of scarcely two hours, Richard, finding himself defeated, rushed into the thickest of the fight, and was slain. He had gone into action with his crown on his helmet, which Lord Stanley picking up on the field placed on the Earl of Richmond's head, and proclaimed him King of England. Richard's body was found amongst the dead, stark naked, covered with blood and dirt; and in that condition was thrown across a horse, with the head hanging on one side, and the legs on the other, and so carried to Leicester, where, after lying for two days exposed to public view, it was buried in one of the churches of the city without any ceremony.⁴

Sir John was not long in receiving marks of favour from the new King. He forthwith, in little more than a month from the battle, made him Chief Butler of England, a lucrative and dignified office, dating from early times, and generally held by persons of distinction. The patent appointing him is dated the 20th of September, in the first year of the reign, 1485. It is thus headed: "Rex concedit Johanni Fortescue Militi, officium capitalis

¹ Rolls of Parliament, vi. 274.

² Rapin.

³ Lodge.

⁴ Rapin.

pincernæ Angliæ.”¹ One of his latest predecessors in the office was John, Earl of Wiltshire.

About the same time he received the posts of “Lieutenant of the Tower of Risbanke, in the Marches of Calais,” of “Master of the Forest and Chace of Enfield,” and of “Keeper of the Park” there; and also a grant of the “Farm of Enfield.”

Henry had at once made him “one of the Knights of his Body;”² and at his coronation or rather two days before it, that is to say, on the 28th of October, several great persons were raised to or in the Peerage; and some of the most active of those knights who had helped him to his kingdom were made bannerets; among the latter was Sir John Fortescue. Stow’s List is as follows:—“On the morrow, being the feast day of Simon and Jude, King Henry created Thomas Lord Stanley, Earl of Darby; Edward Courtenay, Earl of Devonshire; and Jasper, Earl of Pembroke, was created Duke of Bedford; all at one time in the Tower of London; Bannerets made at this creation: Sir Gilbert Talbot, Sir John Cheinie, Sir William Stonar, Sir William Troutbeke, Sir John Mortimer, Sir Richard Crosby, Sir John Fortescue, Sir Edward Bedingfield, Sir Thomas Cokefey, Sir James Baskerville, Sir Humfrey Stanley, Sir Richard de la Bere.”³

The Parliament was called together in a week after the coronation, meeting on the 7th of November;⁴ when one of its first acts was to reverse the attainders pronounced by Richard against those who had sided with his rival. Fortescue’s name appears in the long catalogue of one hundred and seven persons whom it restores to their rights and properties.

There is a Patent of the 13th March in the next year (1486),⁵ granting to him and to his heirs male the following manors, namely:—“Eyworth, in Bedfordshire; Mire Hall (? Moore Hall), in Essex; a third part of Mytton-Clevedon, in Somerset; Crowley, in Buckinghamshire; and Brampton, in Northamptonshire; on account of the good and praiseworthy services which the said John, the well-beloved and trusty Knight of the Body to the said King, had performed, and did not cease to perform.” Of these manors, Moorehall, in Essex, was part of the estate of Sir Richard Charleton, attainted after the battle of Bosworth as a partisan of Richard III. It remained to Sir John’s heirs until the sale of the property in 1592.⁶ A third of the manor of Trumpington, in Cambridgeshire,⁷ was granted at the same time; and in the same year an Act of Parliament grants to Sir John Fortescue a yearly rent of one hundred marks for five years out of certain manors in Devonshire, the estate of Sir William Cary,⁸ with power, in

¹ Patent Rolls, 1 Hen. VII. Rolls of Parlt. vi. 377, Nov. 7, 1485.

³ Stow’s Chronicle, p. 471.

⁵ Patent Rolls, 1 Hen. VII., and Inq. P. M. at Woburn, 10 Hen. VIII.

⁶ Morant, ii. 66, and Inq. P. M., 10 Hen. VIII.

⁸ Rolls of Parlt. vi. p. 315a.

² See Inq. P. M. 10 Hen. VIII.

⁴ Rolls of Parlt. vi. p. 273.

⁷ Inq. P. M., 10 Hen. VIII., at Caxton.

case of arrears accruing, to enter and levy, beyond the rent, 40*l.*, as "a peyne" (or penalty). This is part of an Act reversing the attainder of Robert Cary, son of the aforefaid Sir William.

In 1486 he again served as Sheriff of Herts and Essex, but only for the last six months of the year, succeeding Sir Robert Percy, who served for the first half of the year.¹ He joined the forces collected by the King to oppose the pretender Lambert Simnel, and assisted in his final overthrow at the battle of Newark-upon-Trent, fought on the 16th of June, 1487.

In 1488 a patent grants to him the guardianship of the estates of Philippa, daughter of Humfrey Spice, during her minority. This lady, as we shall find, afterwards married his eldest son. The patent runs thus :²—

"3 Hen. VII. Rex 19. Junii conc. Johanni Fortescue militi custodiam omnium dñiorm, manerioñ, terr', ten' et ceteror' premifs' que ratione minoris ætatis Philippe filie Humfredi Spice nobis devenerunt."

Such wardships of minors were often of great value to those who held them, and were one of the means by which the sovereign rewarded services and gratified favourites.

In November of the same year he received by patent an annuity of twenty marks.³

In the accounts of the solemnities and festivities of Henry the Seventh and his court there, frequent mention is made of Sir John Fortescue. He was present among the bannerets at the Coronation of the Queen, in November, 1487. At Allhallowtide in 1488 he was one of a small retinue of Lords, Knights, and Gentlemen, who accompanied the King and Queen to Windfor to keep the Festival; the Earls of Oxford, and Ormonde, and others of note being among them; and Christmas in the following year finds him with the Court at Westminster, when Leland notes that "at that season there were the measles so strong, and in especial among the Ladies and Gentlewomen, that some died of that sickness."⁴

In the year 1494, the King,⁵ having created his second son, Henry, afterwards Henry VIII., now two years old, a Knight of the Bath and Duke of York, great festivities ensued, including a grand banquet, when we find Sir John Fortescue present among the bannerets, as this list will show :—

"The names of th'aftates, lordes, banerettes, and knyghts, beying at thys fest—

Furft, the Kyng,

The Qwene,

My ladie the Kings Moder."

¹ Clutterbuck, i. p. xxxii.

² Pat. Rolls, Hen. VII.

³ Pat. Rolls, Hen. VII.

⁴ Leland Coll. (Ed. Hearne), iv. 231, 243, 255.

⁵ Letters and Papers, Rich. III. and Hen. VII., by Gairdner, 2 vols, vol. i. p. 402.

Many great officers and Lords and Ladies of the Court.

Then the Bishops.

Then the following Bannerets :—

“Sir John Cheny Banneret Knight of the Garter,
 Sir Thomas Montgomery Knight of the Garter,
 Sir John Arundell Banneret, brother to the Earl of Arundell,
 Sir Gilbert Talbot Banneret,
 Sir Edmund Stanley Banneret,
 Sir John Fortescue Banneret,
 Sir Humfrey Stanley Banneret,”
 and fix more, with many knights.

At some time before 1495 his wife must have died, because about that year he married a second time, a widow of very mature age, her first marriage having taken place in 1467-68, namely, Elizabeth, daughter and co-heir of Sir Miles Stapleton,¹ of Ingham in Norfolk, and widow of Sir William Calthorpe, “who died in 1494, and was buried by his wife in the Priory of Carmes in Norwich.”² Sir John after his second marriage, resided occasionally at his wife’s “city house” in Norwich, and at her seat at Ingham, “living in great hospitality.” Blomefield, thinking it worth while to preserve an extract from the accounts of “John Glavyn, steward to Sir John,” I will give it, to show the prices of food and labour in those days :—

100 Salt Fish called Ling	.	.	.	.	.	61 shillings.
200 Salt Fish	.	.	.	.	.	66/8d.
2 cades of Red Herrings	.	.	.	.	.	28/.
8 barrels of White Herrings	.	.	.	.	.	53/4d.
Malting of Barley	.	.	.	.	.	6d. per quarter.
Carriage of it to Sir John’s City House at Norwich	.	.	.	.	.	2d. per quarter.

N.B. This was from Ingham. The City House was the house of the late Sir William Calthorpe in St. Martin’s by the Palace.

Paid for a man to ride to London 20d.

¹ Inq. P. M., 16 Henry VII.

² Blomefield’s Norfolk, ix. 222, and Notitiæ and Pedigrees of Fortescue Family, Brit. Mus., Add. MS. 15,629, f. 62b, et seq. N.B. Both Blomefield and Peter le Neve mistake Sir John of Punsborne for Sir John the Chancellor, as the dates will prove. The Compotus roll, from which the items are taken, bears date a few years after Sir John’s death, as will be seen by reference to the Appendix to this chapter. His son, John “of Herts,” appears to have continued the Norwich establishment for a time.

For grinding a quarter of Wheat (Wheat then 4/8 <i>d.</i> per quarter)	. 3 <i>d.</i>
To a Chandler for making Candles . . . . .	. 4 <i>d.</i> per day.
Paid the tithe of Sir John's Garden . . . . .	. 2/6 <i>d.</i>
Fee of John Glavyn the Steward . . . . .	. 13/4 <i>d.</i> per ann.

William Pafton writes to his father Sir John Pafton about 1495, "from Sir John Fortescue's Place" where he was, "because they swet so for at Cambryge."¹ This was probably Ingham.

The old knight appears by the following document² to have been engaged in a turbulent feud with one of his neighbours, Sir William Say, whose feat of Basse in Hoddesdon parish, was in the same part of Hertfordshire with Ponsborne. The threatened affray between the two knights and their followers must have alarmed the peaceably inclined neighbours, and they applied to the sovereign to prevent it. Henry VII. addressed Sir John Fortescue and Sir William Say thus:—

HENRY R. By the King.

Trusty and wellbeloved, we grete you wele, And have herd to our grete displeaser that for certayne variance and controverfie depending betwixt you on the oon partie and Sir John Fortescue on the other, ye intende with unliefull assembles and conventicles of our people to be at the Sessions next to be holden within our Countie of Hertford, to th'affraying of our Peas and distourbanse of the same Sessions which we ne wold, in eschewing such trouble and inconvenients that by likelyhode might thereuppon ensue. Wherefore we write unto you at this tyme commanding you in the straightestwyse that leveing the said assembles, ye forber to be at the said Sessions, and neither doo ne procure to be doon anything there, privately or apertely repugnant to the equitie of our Laws, or rupture of our said Peas, at your uttermost perell—and also that immediately after the sight herof ye adresse you unto our preface, to know our further mynde, and pleaser in the premisses.

Lating you wite that we have written in like wise herein to the said Sir John.

Yeven under our signet at our Palays of Westminster the xxiii. day of February.

To our trusty and wellbeloved Knight Sir William Say.

The only letter of the two which has been preserved is this to Sir W. Say.

We now cease to find mention of Sir John in public or private papers³ until a very

¹ Pafton Letters, Ed. Gairdner, vol. iii. p. 389.

² Ellis, Original Letters, 1st Series, vol. i. p. 39.

³ Letters and Papers of Richard III. and Henry VII., by Gairdner, vol. ii. p. 88; and Turpin's Chronicle of Calais, p. 3.

short time before his death, and then once only, when he was summoned to attend the King and Queen on their journey to Calais, whither they went to avoid the plague now raging in England; thirty thousand persons died of it in London in this year.

Sir John Fortescue landed at Calais, May 15th, 1500. There the Archduke Philip came to visit the English sovereign, and at the ceremony of the meeting of the two princes, he was in the King's retinue. His name is hardly dealt with in the list of names, appearing as Sir John Forkefkewe.

This meeting took place in the month of May, and on the 28th of July following, Sir John who had returned to England, died at his house at Punsborne.¹ He was buried in the church of Bishops Hatfield, where his sons John and Adrian erected a marble tomb over his remains.

This, as the latter tells us, was from "the marbellars of Corff," i.e., Purbeck, and was enriched with "images and armys." The tomb was in a chapel set apart to his memory. Some years later, in 1526, Sir Adrian, in one of his expeditions to Calais, bought there "in the wartime a great tabernacle for the altar" of this chapel.²

His widow, notwithstanding her age, married again, early in 1502, a third husband, Sir Edward Howard, the Lord Admiral, brother to the Duke of Norfolk. When about to take this step, "she did, in the 17th Hen. VII., infeof several persons of the manor of Ingham, and other lands, to the uses she should declare, notwithstanding any assignment to be made by Sir Edward Howard whom she intended to marry, and desired that after her decease a priest should be found to pray for her soul and the souls of her husbands, Sir William Calthorpe, Knt., and Sir John Fortescue, Knt."³

Blomefield asserts that Lady Fortescue had married Lord Scroop, as well as Sir William Calthorpe, before Sir John Fortescue, and that Sir Edward Howard was her fourth husband. He is not, however, supported by Peter Le Neve; therefore we will give her the benefit of the doubt. Her only issue was by her first husband, and her estates descended to her son, Sir Francis Calthorpe.

Sir John left by his first wife two sons, John, the eldest, and Adrian, of whom hereafter; and three daughters, Anne, married, first, to Sir Thomas Bawd, secondly, to Sir Edward Lucye; Elizabeth, married to Simon Elrington, Esq.; and Mary, married, in the year 1495, to John Stonor, son of Sir Walter Stonor, and brother to Sir Adrian's first wife. The leave of the King for the celebration of this marriage was asked for and obtained, by the lady's father; there being a Patent Roll of 10 Hen. VII., 15th February (1495), "granting to Sir John Fortescue, Knt., the marriage of John Stonour." Leland thus mentions the double alliance between the Stonors and Fortescues:—"Olde Fortescue

¹ Inq. P. M. Hertford, 10 Hen. VIII.

² See Sir Adrian's Book of Accompts, in Appendix.

³ Notitiæ and Pedigrees in Add. MS. 15,629; and Blomefield's Norfolk, vol. v. p. 348.

Doughter in Henry the VII. tyme, married the Sunne and Heir of Stoner; and after, as I hard, old Fortescue Sunne married the Doughter and Heire of Stoneher.”¹

After the death of her first husband, Mary Fortescue married Anthony Fettyplace.² She had no issue by John Stonor, at whose death his sister Anne (Lady Fortescue) became his heir.³

John Fortescue, of Ponsbourne,⁴ the eldest son of the Sir John who succeeded to his father's estates, was probably born not later than the year 1469; for he is named in a Close Roll,⁵ referring to Middlesex and Herts, of the 16th February, 1490, as John Fortescue, Armiger; so that he was probably at least of age in that year; and the inquisition post mortem on his father says that he was more than twenty-one years old at his father's death in 1500.

The following entries in the Books of Accounts of Henry VII. are preserved in the British Museum :—

“1 November 1503.⁶ Anthony Fettyplace, John Fortescue, and John Cole of Devon, etc. bounden in two obligations to pay fifty marks at Candlemas next comyng, and fifty marks at Halotyde after, for a murdor. 100 Marks (solut).

“1 April 1504. Sir Adrian Fortescue and John Fortescue, etc. bounden in an obligation to pay at Michelmas next coming for a fyne 20*l.* (fol.).

“12 June 1505. Sir Adrian Fortescue, John Fortescue, and Thomas Halys er bounden in three obligations to pay 20*l.* at Halowtyde next comyng, 20*l.* on Ascension-tyde after, and 20*l.* at Halotyde cum 12 moneth for the fyne of a ryott, 60*l.*

“1 July 1511. 3 Hen. VIII. Henry Bourghcher Erle of Essex and John Fortescue of Pundesborne in the Countie of Hertford Esquire are bound by an obligation to pay m^ldxij^{ti} within two months.”

It does not follow from the foregoing that Fettyplace, the Fortescues, or Cole were themselves guilty of murder or riot; but rather that fines were laid on their estates, for the harbouring of malefactors by themselves or their tenants.

In June, 1512, John “of Herts” (as he is often called) was, with his brother, Sir Adrian, “among those who agreed to send a certain number of men to serve the King's grace by land;”⁷ and accordingly, on the 13th of April, 1513, these two brothers “are appointed to pass the sea in the middle ward with 50 Archers, and 50 Bills, to be shipped from Dover, or Sandwich.”⁸ Their “protection for going to the war” is dated May 6, 1513,⁹ and they are afterwards placed “in the King's Ward.”¹⁰

¹ Pat. Rolls, 10 Hen. VII. Leland's Itinerary, iv. p. 19.

³ Burke's Commoners, ii. 441.

⁵ Close Roll, 5 Hen. VII.

⁷ Letters and Papers, Hen. VIII., vol. i. No. 3231.

⁹ Ibid., 4017, 4018.

² Visitation of Devon, 1564.

⁴ Inq. P. M. 16 Hen. VII.

⁶ Brit. Mus. 21,480, Hen. VII. Accounts.

⁸ Ibid., No. 3890 and 3980.

¹⁰ Ibid., 4307.

John of Herts,¹ having first made his will, proceeded to France.

The "Chronicle of Calais" records that King Henry VIII. "landed at Calais on the last day of June, and with him landed (among others) Ser John Fokew;"² and he is in "the List of Noblemen"³ with their retinues that went over to Calais with the King," appearing there as attended by fifty men. He was at this time a Squire of the King's Body.⁴

The object of this expedition was to make war against Louis XII.; and its principal events were the siege and taking of Terouenne, the Battle of the Spurs, and the taking of Tournay, with which the campaign closed, in October of the same year (1513).

Sir John Fortescue returned soon to England, for he was, on the 9th of February following, a "Justice of Goal Delivery at St. Albans."⁵ We do not hear more of him until his death, which took place on the 8th of August, 1517, except that he was at the King's banquet at Greenwich, on the 7th of July,⁶ a month before he died.

He was a married man in the year 1510, for the will of Sir Thomas Tyrell, of East Hordon, in Essex, made in the latter year, provides "that if Sir John Fortescue and his wife die without issue the reversion of the manors of Falkborne and Moche Teye in the County of Essex, shall remain to my son Thomas and his heirs."⁷ His wife was Philippa Spice,⁸ born in 1484, daughter and heir of Humphrey Spice, of Black Notley, in Essex, son of Clement Spice, of that place, by Alice Montgomery. This lady had a sister, also Alice, who, as we have seen, married the elder of the two brothers Sir John, sons of Sir Richard Fortescue, of Ponsbourne. They were daughters of Sir John Montgomery of Falkborne, Knight of the Bath, and were co-heirs to their brother, Sir Thomas Montgomery, born in 1434, called by Morant "one of the most eminent men of his time, much in favour with Edward IV., who made him a Knight of the Garter and employed him in embassies and affairs of the greatest consequence." He had very large estates in Essex, which, upon the death, without issue, of his sister, Alice Fortescue,⁹ centred in the granddaughter of his sister, Alice Spice, that is to say, in Philippa Spice our present subject, who, Morant says, brought to her husband "a very great estate," although she did not inherit her father's estate of Black Notley. Through her Falkborne Hall came to her husband, and became the principal residence of this family.

¹ Inq. Post Mort. 10 Hen. VIII.

³ Letters and Papers, Hen. VIII. p. 632.

⁵ Ibid., 4742

⁷ Dodsworth MS. 22, f. 124 b, (in Registro), Fetiplace, fol. 21. Will proved Oct. 10, 1512.

⁸ Morant's Essex, ii. 123 and 116.

⁹ The statement of Morant and others, that Alice Fortescue was the wife of Sir John Fortescue, of Punsborne, and thus mother of John of Herts, is inconsistent with the well-established fact that the mother of John of Herts, and the wife of Sir John of Punsborne, was Alice Boleyn. The mistake has doubtless arisen from the confusion caused by two Sir Johns, brothers. Morant gives no authority for his statement. There is no doubt, however, but that Alice Spice and her husband, John Fortescue, of Herts, became possessed of all the Montgomery estates.

² Chron. of Calais, p. 13.

⁴ Ibid., 4249.

⁶ Letters and Papers, Hen. VIII. vol. ii. 3446.

Philippa, the heiress, survived her husband for many years. She re-married Sir Francis Bryan,¹ and was alive in 1534.

Sir John's issue by his wife were three daughters, Anna,² Ethelreda,² and Elizabeth married to Fox;³ and one son, Henry, born in 1516,⁴ who succeeded to the estates of his father and mother on their respective deaths.

Henry Fortescue's paternal estates, as enumerated in the inquisitiones post mortem held at his accession to them, were:—Brokemans, Ponnyborne, Wynderige, Comeslowe Greene, and Bayford; with lands at Bishops Hatfield, Little Berkhamstead, and Hertynghfordberry in Hertfordshire;⁵ the manor of Trumpington, in Cambridgeshire;⁶ the manor of Moore Hall, in Essex, with advowson of the church there, being a grant to his grandfather, Sir J. Fortescue, on the attainder of Sir Richard Charleton.⁷ Also lands in Bedfordshire, not specified in the inquisition held at Woburn.⁸

Henry Fortescue was, like his father and grandfather, a Squire of the Body to the sovereign,⁹ his mistress being Queen Elizabeth.¹⁰ He was also a gentleman of the Privy Chamber, and served in Parliament for Sudbury, in the 1st of Elizabeth.¹¹

He married, first, Elizabeth, daughter of Sir William Stafford, of Bradfield,¹⁰ by whom he had issue, four sons and five daughters, as will be found in the Pedigree. Francis, the eldest, succeeded him.

Of the five daughters, Dorothy,¹² married, in 1554, Anthony Brydges, third son of John,¹³ 1st Lord Chandos.¹⁴

Henry Fortescue's second wife was Mary,¹⁵ widow of Sir Edward Darrell, and of Philip Maunfell. By her he had one son, Dudley,¹⁶ married, July 25th, 1581,¹⁷ to Mary, daughter of Robert Chane, widow of Robert Strongman, and died, September 12th, 1604, leaving issue a son, Daniel, born July 24th, 1590, and two daughters.¹⁸

Dudley Fortescue appears by the inquisition after his death to have married a second wife, Martha. He was member of Parliament for Sudbury in the 35th Elizabeth, 1592.¹⁹

¹ Morant, ii. 117.

³ Arms and Ped. Devon Families.

⁵ Inq. P. M. at Hertford, 18th July, 10 Hen. VIII.

⁶ Inq. P. M. 10 Hen. VIII., 6th August, at Caxton, and at Royston, July 20th, same year.

⁷ Inq. P. M., July 12th, 10 Hen. VIII. at Chelmsford.

⁹ Inscription on Tomb, Falkborne Church.

¹¹ Willis, Not. Parl.

¹² Stemmata Illustria, by Sir Egerton Brydges, p. 101, folio, Paris, 1825.

¹⁴ For all Henry's issue, see the Pedigrees in Brit. Mus., Add. MS., 5937.

¹⁶ Dudley Fortescue left to his son Daniel several estates, including the manors of Clements and of Barons, with lands in Hockley, Rochford, and Walley Hall, &c.; as well as the manor of Brookman, in Herts. Clutterbuck, i. 452, and Morant's Essex.

¹⁸ Inq. P. M., 15th Feb., 2 Jas. I. at Stratford Langthorne.

² Inq. P. M. 18th July, 18 Hen. VIII., at Hertford.

⁴ Inq. P. M. 10 Hen. VIII.

⁸ Ibid., 4th Nov. at Woburn.

¹⁰ Ped. in Add. MS. (Brit. Mus.) 5937, fol. 75.

¹³ See Morant.

¹⁵ Morant's Essex, ii. 117.

¹⁷ Falkborne Register.

¹⁹ Willis, Not. Parl.

Henry Fortescue, of Falkbourn, died October 6th, 1576. His tomb, with his figure on brass of half-life size, is in the north side of the chancel-floor of Falkborne church, with this inscription:—

“Here lyeth the bodye of Henry Fortescue one of the fowre Squires of the Bodye to Queene Elizabeth, Lord and Patron of Falkborne, who married Elizabeth Stafford, by whom he had Fower sons and five daughters; and Dame Mary Darrell, by whom he had one sonne, and ended his Life the sixt of October in the year of our Lord 1576.”

On the other side of the chancel are the tomb and brass of his second wife, Mary Lady Darrell, who survived until October 7th, 1598.

In an Act of the 14th and 15th Henry VIII.¹ there is this proviso, “That these acts of authority given to the King our Sovereigne Lorde, be not hurtful to Henry Fortescue Esquire Sonne and Heir to John Fortescue Esquire, Sonne and heir to Sir John Fortescue Knight nor to his heirs—nor to Sir Francis Bryan, to whom the King had granted the custody of the body and lande of the said Henry, as relating to landes and tenements that were late Sir Richard Charleton’s Knight.”²

Henry Fortescue was succeeded by his eldest son, Francis, born in 1546, who married Dorothea, daughter and heir of Edmund Ford, of Hartinge, in Suffex, and died July 8th, 1588,³ leaving issue, Edmund, his son and heir, born in 1566; Henry, and Richard. Edmund, the eldest son, succeeded at Falkborne. He married, in the 26th of Elizabeth (1583-84), Isabella, daughter of Sir Edmund Huddleston, and had issue by her, a son John, born in 1585, “whose Wardship and Marriage” was, in July, 1598, sold unto Sir John Fortescue, Chancellor of the Exchequer,⁴ for the sum of 30*l*. Edmund Fortescue died in September, 1596.⁵

John of Falkborne, his eldest son, had issue, William, born in 1613, and other children, as the pedigree will show.

The above William sold Falkborne Hall and Manor, about 1637, to the Bullock family, in whose possession it still remains (1865).

The Manor of Punsborne was alienated sooner. Clutterbuck⁶ says that it came to the Crown some time after the 5th of Elizabeth, and was granted by her to Sir Henry Cock. Moor Hall Manor was sold in 1592;⁷ and it would appear from Morant’s History that all the Fortescue estates in Essex and Herts were sold by Edmund, John, or William of Falkborne.

I have not been able to trace any descendant of the family nearer than the Salden

¹ Statutes of the Realm, 10 vols.

³ Inq. P. M. 30 Eliz. and Visit. Essex, 1634.

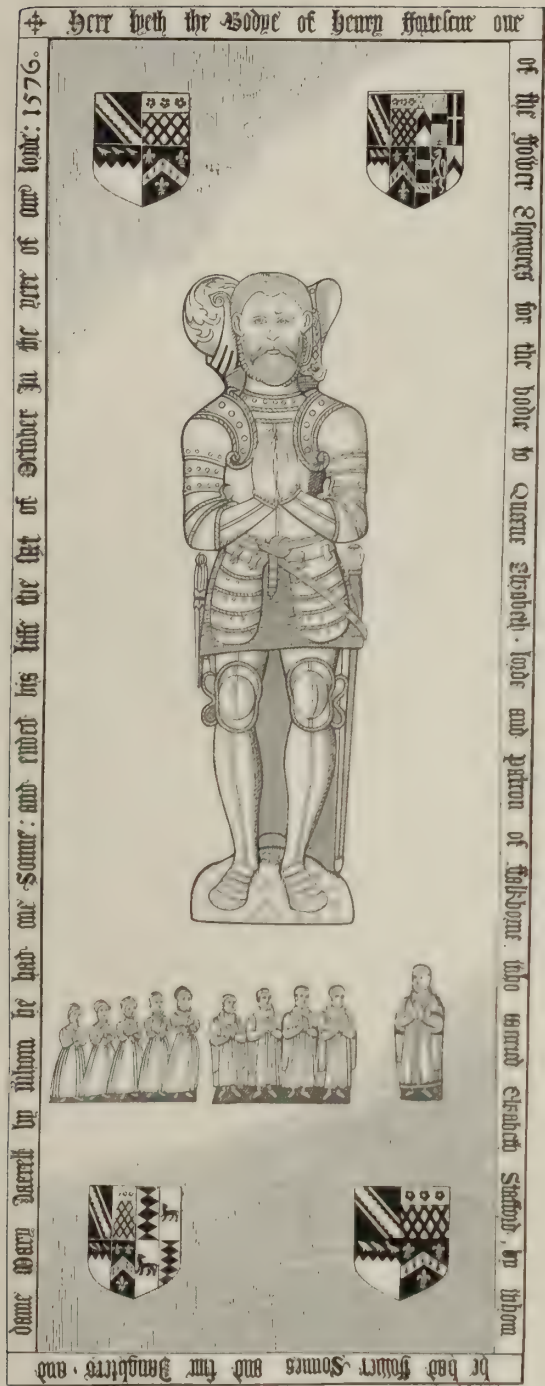
⁵ Visit. Essex, 1634, and Morant; Falkborne Register.

⁷ Morant.

² Morant and Clutterbuck, vol. ii. 348.

⁴ Court of Ward’s entries, and Inq. P. M.

⁶ Hist. of Herts, ii. 349.



branch, after the above-named William,¹ either through him or through Daniel, son of Henry of Falkborne by his second wife. The family seems to have rapidly and completely disappeared from view, if not from existence. The old Manor House of Falkborne, near Witham-Junction, has been much added to since it came to the possession of the Bullock family. There is, however, at least one portion—a tower with rooms adjoining—which, as the owner, Mr. Walter Bullock, was good enough to inform me when I visited the house, is usually assigned to the fifteenth century. The whole house is of brick. The church is in the park, a few hundred yards from the house—a very plain building. Its only Fortescue relics are the two tombs with brasses, before mentioned, represented in the woodcuts.

APPENDIX TO CHAP. XII.

A.

Abstract of a Compotus of the Manor of Ingham, in Norfolk, in the 22nd year of Henry VII. (A. D. 1506).

The paper roll is nearly seven feet long, imperfect at the beginning.

Sir John Fortescue with whom his steward, John Glavyn, here accounts, must be Sir Adrian's brother; Sir John the elder, of Punsborne, having died in 1500.

The roll appears to have belonged at one time to Peter le Neve, Norroy King at Arms, as his autograph notes are in the margin.

It formed part of the Fenn collection of papers, sold by Messrs. Puttick and Simpson in July, 1866, when it was bought by Messrs. Boone, who allowed these extracts to be taken.

<i>Endorsed</i> :—Compotus recept' Jo. Fortescue	Ingham Man ^r . compot'
militis, a ^o . 22 Hen. VII. . . .	recep' Jo: Fortescue,
	mil. 22 Hen. VII. 1506.

Summa—quarteria ordeï—cclxvij quart' vij	Begins.
bus' dimid' denarii—xliiij <i>li</i> . xiijs.	
j <i>d</i> . o <i>b</i> . viz. quarterium iijs. iiij <i>d</i> .	

Summa totalis recept' cum arreragiis, cxli*li*. ix*s*. iiij*d*. o*b*.

Idem computat in foedo Thome Sothertone comput' receptarum ibidem hoc anno ex	Eodem
convencione secum facta hoc anno	computo.
Et solutus Johanni Jermy armigero pro focalia ab eo empta, ut patet in pede compotus	
predicti anni precedentis	xiijs. iiij <i>d</i> .
Et solutus Johanni Sparke janitori ut patet in pede dicti compotus	iijs. iiij <i>d</i> .

¹ In D'Ewe's Autobiography, 2 vols. 8vo. London, 1845, vol. ii. 302, there is a letter to Thomas Clopton, written by a "Dudley Fortesque," from Chilton, 11th February, apparently in 1642. This may be a son of Daniel or of William. The letter begins, "Cofine Clopton."

	Et solutus rectori de Wraxham et aliis diversis tenentibus ibidem pro firma xxxvj acr' prati ultra xxvjs. retent' in manus dñi pro eo quod rector predictus est computar ^e cum domina pro diversis redditibus et firmis annorum precedentium	xs.
	Et solutus Thome Joynour de Smalburghe dccc fagotis et cc astell focalium de Smalberghe usque Norwich ut patet in pede compotus predicti	xvijs.
	* * * * *	*
Several entries re- specting fag- ots and fuel follow.	Et solutus pro pissibus falsis ultra viij <i>li</i> . solut' a°. proximo preced' ut patet in pede compotus anni proxime precedentis	iiij <i>li</i> .
	Et solutus Willelmo Mader de Norwich chaundeler pro factura ibidem candelarum ibidem ad diversos vices pro xx ^{ti} . dies capiend' per diem iiij <i>d</i> . ut patet in pede compotus anni proximi precedentis	vjs. viij <i>d</i> .
	* * * * *	*
Payments for corn, re- pairing carts, &c. follow.	Et solutus pro j equo conduct' pro iij diebus pro Thoma serviente coquine hoc anno ut patet per billam predictam	xij <i>d</i> .
	Et solutus Johanni Taillo ^r pro emendacione ij lex Quernes cum factura ij butters et alia ibidem hoc anno per billam predictam	iijs. iiij <i>d</i> .
	Et solutus cuidam molendinario pro moliacione lxxij quart' frumenti quarterium ad iiij <i>d</i> . hoc a°. pro expensis hospicii a xxij die Octobris a°. xij usque viij diem Aprilis tunc proxime sequentem ut patet per billam predictam	xvijs.
	Et solutus Priori de Ingeham pro expensis servientis domini ibidem cum aliis diversis expensis et necessariis per billam dicti Prioris penes dominum remanentem	cixs.
	Et solutus pro iiij carectis de lez firres emptis pro focalia et pro fornacio hoc anno precii carectæ iiij <i>d</i> . ut patet per billam manu domini signatam	iijs.
	Et solutus rectori Ecclesie Sancti Martini per decimum gardini domini apud Norwicum pro iiij ^{bus} annis quolibet anno ijs. vjd. ut patet per billam predictam	vijs. vjd.
	* * * * *	*
	Et solutus Johanni Glabyn, Senescallo curiæ domini ibidem pro anno ultimo preterito ut patet per billam manu domini subscriptam	xiijs. iiij <i>d</i> .
	* * * * *	*
	Et in regard' fact' diversis hominibus piscantibus apud Smalburgh hoc a°. per manum domini solut'	vs.
	Et solutus pro j equo conduct' pro domino Roberto capellano ad equitandum London hoc anno	xx <i>d</i> .
	Et solutus pro cariagio diversorum estafur, viz. j pipe et j hogshede vini, iiij pipas, cum piscibus et j hoggeshede cum powder de Norwico usque Yermouth hoc anno	iijs. ij <i>d</i> .
	* * * * *	*
Here follow several en- tries relating to the car- riage of malt, beer, &c.	Et solutus pro cariagio xxxviiij quarteriarum brasuræ de Ingeham usque Norwicum ad hospicium domini ibidem cujuslibet quarterii ad ij <i>d</i> . et xij quarter' de Smal- burghe usque Norwich predict' ad hospicium predictum et vij quarteriarum de Kerstone, usque Norwich ad hospicium predictum, quarteria ad ij <i>d</i> . hoc anno	ixs. viij <i>d</i> .
Here follow entries re-	* * * * *	*

Et solutus pro viij cades de Allec' rubiis emptis et provifatis pro hospicio domini hoc anno, precium cujuslibet cade, iijs. vjd.	xxvijs.	lating to the making of malt.
Et solutus pro viij barellis de Allic' albis emptis pro expensis hospicii ejusdem domini hoc anno precium barelli, vjs. viijd.	lijs. iiijd.	
* * * * *		
Et solutus pro ^{mit} de piscibus falsis vocatis lynges emptis pro expensis domini hoc anno, precii	lxis.	
Et solutus pro cc piscibus falsis vocatis falsifher emptis pro expensis hospicii predicti hoc anno precii cxxvjs. viijd.	lijs. iiijd.	
Et solutus pro expensis Thome Sothertone equitantis pro piscibus et allec' providendis et habendis hoc a°. ad diversos vices et diversa loca	iijs. ix.	
* * * * *		
Summa omnium allocationum, cvij <i>li</i> . xixs. vijd. et debet xxxij <i>li</i> . ix <i>s</i> . viijd. ob q <i>u</i> . De quibus allocatur ei xxij <i>s</i> . iiijd. pro collect' cclxvij quarteria vij <i>bus</i> . dimid' de diversis tenentibus ibidem hoc a°. juxta ratum cujuslibet quarterii, jd. Et debet xxxij <i>li</i> . vijs. iiijd. ob q <i>u</i> . &c. &c. &c.		Here follow some entries of payments made for barley, which complete the roll.
* * * * *		

B.

Inquisition taken at Woburn in the co. of Bedford on the 4th day of November 10 Henr. VIII. before the jurors &c. who say that a certain Sir Richard Charleton K^t. was seised of the Manor of Byworth in co. Bedford, &c. and that by a certain Act of Parliam^t dat. 1 Hen. VII. the said Charlton was attainted, &c. &c.

“Ac postea dictus nuper Henricus VII per literas suas Patentes cujus datum est apud Woburn xiiij die Marcii anno regni sui primo, de gratia sua speciali bona et laudabilia obsequia que dilectus et fidelis ejusdem nuper Regis, Johannes Fortescue tunc unus militum pro corpore suo eidem nuper Regi tunc tempora impendebat indiesque ex tunc impendere non desistebat merito contemplatus, inter alia dedit et concessit eidem Johanni predictum manerium de Byworth per nomen, &c.”

After which the said S^r. John Fortescue was seised of the said Manor &c. and being so seised died at Ponnyfborne in the Co. of Herts on the 28th day of July 15 Hen. VII. after whose decease it descended to John Fortescue esq. as son and heir of the said S^r. John, after which, in the 20th of Apr. A°. 24 of the said King, a pardon *de intrusione et transgressione* &c. by Patent was granted by the name of John Fortescue Esq. of Ponnyfborn, Co. Herts, alias J. F. of Falborne, Co. Essex, Esq. alias J. F. of London, Esq. &c. &c.

John Fortescue Esq. died on the 8th of August, A°. 9 Hen. VIII. and Henry Fortescue is his son and heir male and of the age of 2½ years.

FUNERAL CERTIFICATE.

TheWorshypfull Henry Fortescue of ffalkborne in the Countie of Essex Esquire departed this Worlde at the saide howse on Saturdaie the vjth of October 1576 And was buried on Monday the xvth of

the same in the saide Church. The saide Henry maryed to his first Wyff Elizabeth the Dowghter of ——— Stafforde in barkthere Esqwyer & by her had yssue ffrauncys his eldest Son & heyr John his second son George his thyrde son & Katheryn Anne & Dorothe. And after Maryed to his second wyff Dame Mary Lady Darrell & by her had yssue Dudley a Son. The executor appointed by the last will and testament of the saide Henry ffortescue was the Lady Darrell his wyff. The Offycer that served at the saide buryall was Richard Turpyn ats Wyndfore heraulde of Armes.

CHAPTER XIII.

The Fortescues of Salden.

THE above designation of a sub-branch of the Punsborne family, originating with Sir Adrian, second son of Sir John Fortescue of Punsborne, has been taken from their principal feat, although it was not possessed by Sir Adrian, but was acquired by his eldest son, Sir John, in addition to lands in Gloucestershire, and possibly in Oxfordshire, left to him by his father.

SIR ADRIAN FORTESCUE.

Sir Adrian Fortescue was born about the year 1476.¹ There is no mention of him until October, 1499, when he is referred to as already married, his wife being Anne Stonor, daughter of Sir William Stonor, of Stonor near Henley-on-Thames, in Oxfordshire, sister and afterwards heir to John Stonor, who had married, in 1495,² his sister, Mary Fortescue. Her mother was the Lady Anne Neville, eldest daughter of John, Marquis of Montagu, brother of Richard, Earl of Warwick, the "King-maker." She became, by the death of her brother, George, Duke of Bedford,³ one of his co-heirs.⁴ In 1503, at the creation of Prince Henry, now the King's eldest son, as Prince of Wales, Sir Adrian was created a Knight of the Bath.⁵ In the same year he and eleven knights and gentlemen of Oxfordshire were named commissioners for levying two aids for Henry VII.; one on the occasion of the marriage of his eldest son, Prince Arthur, now dead, a marriage by which the history of the Reformation was so much affected; and the other for the marriage of the King's daughter, Margaret, to the King of Scotland, through which the House of Stuart⁶ came to the crown of England. In 1504 and 1505 he is returned, with his brother John, as fined for "a riott."⁷ In 1509 and 1510 he purchased an estate in Hants from Edmund Dudley.⁸ In 1511 he is put into the commission of the peace for Oxfordshire.⁹ From this and other entries, it is probable that he, soon after his marriage, resided principally at Stonor, his wife's family feat in that county. Leland, almost a contemporary, describes it in his Itinerary,¹⁰

¹ A "Licentia ingrediendi" to Adrian Fortescue and Anne his wife, dated Oct. 17th, 1499, shows that he was then married, and (it may be assumed) at least twenty-one years old. Pat. Rolls, 15 Hen. VII.

² Pat. Roll, 10 Hen. VII.

³ Burke's Commoners, "Stonor."

⁴ Pat. Roll, O. 23 Hen. VII.

⁵ Lodge, Biog. Brit. iii. p. 2001.

⁶ Rolls of Parlt. vi. p. 538.

⁷ Hen. VII. Accounts, f. 105, 127.

⁸ Letters and Papers, Hen. VIII., 1212 (Calendar of), and Pat. Rolls, 24 Hen. VII.

⁹ Letters and Papers, Hen. VIII., 1470.

¹⁰ Leland's Itinerary, vii. 67.

as "a three miles out of Henley. There is a fayre Parke and a warren of Connes, and fayre Woods. The Manfion Place standeth clymbing on an Hille, and hathe two courtes builded with Timbar, Bryke, and Flynte."

About this time the young King Henry VIII. joined with Ferdinand of Spain, the Emperor Maximilian, and Leo X., to check the progress of Louis XII. in Italy, he having seized the Duchy of Milan, and threatened the Papal States. In accordance with the treaty Henry proceeded to collect an army for the invasion of France through Calais, and Sir Adrian was one of those who agreed to raise men for it. He accordingly, with his brother John, collected fifty archers and fifty bills, and was appointed to cross the seas in "the Middeward," although they both belonged to "the King's ward" of the expedition. "The Mawdalen of Pole" was the ship which was to carry them. It would appear, however, that the two Fortescues remained with their own division, because they did not go with either of the other two who had preceded them, one under the Earl of Shrewsbury,¹ and the other under Lord Herbert, and did not land in France until the end of June, 1513, when they appear in the "List of Noblemen" who went with the King to Calais "with the number of their retinues," fifty men attending each of them. The two brothers carried their banners, with their arms thus emblazoned:—

A Description of the Standards borne in the Field by Peers and Knights, in the reign of Henry VIII., from a MS. in the College of Arms, marked I. 2, compiled between the years 1510 and 1525.

Mayster John Fortescue.²

Vert, A an heraldic tiger passant Argent, maned and tufted Or, with two antique shields Argent, each charged with the word "fort," and four mullets pierced Sable; B a similar shield between two mullets; C a shield and three mullets as before.

Motto.—Je pense loyalement.

Arms.—Quarterly, I. and IV. Azure, on a bend engrailed Argent, cottised Or, a mullet pierced for difference; II. and III. Argent, fretty Sable, on a chief . . . three roses Gules. An escocheon of pretence, Quarterly, I. and 4. Argent, on a chief dancetté, Azure three martlets Or; 2. and 3. Gules, a chevron Ermine between three fleurs de lis Argent.

Syr Adryan Fortescue.

Vert, A an heraldic tiger passant Argent, maned and tufted Or, charged on the shoulders with a crescent Sable between, in the dexter base and sinister chief, two antique

¹ See Letters and Papers, Hen. VIII. vol. i. and Turpin's Chronicle of Calais, for these dates and entries.

² This was Sir John Fortescue "of Herts."

shields Argent, each charged with the word "fort," and three mullets also Argent, charged with the crescent as before; B the shield and mullet; C the shield and three mullets, as before.

Motto.—Loyalle Penfee.

Arms.—Quarterly, I. and 4. Azure, on a bend engrailed Argent, cottised Or, a mullet Sable; 2. and 3. Argent, fretty Sable, on a chief . . . three roses Gules; in middle chief point a crescent for difference. An escocheon of pretence, Quarterly of five grand quarters, two in chief, and three in base; I. Azure, two bars dancetté Or, a chief Argent; II. Quarterly, I. and 4. Gules, a saltire Argent, with a label of three points; 2. Argent, a fess fustilly Gules; 3. Or, an eagle displayed Vert; in fess point a crescent for difference; III. Gules, a cross engrailed Argent; IV. Argent, a saltire engrailed Gules; V. Argent, on a Canton a cinquefoil.

The short campaign which ensued, although barren of lasting results, was a brilliant one. The strong places of Terouenne and Tournay fell; and at the "Battle of the Spurs," under the walls of the former, the French cavalry, 10,000 in number, fled in a panic before a small force of English and Germans; and by the end of October Henry was again in England.

Sir Adrian was a Gentleman of the King's Privy Chamber, but the date of his appointment is not known. In July, 1517, he was at a royal banquet at Greenwich, of which a description remains among the State Papers of the period, when he was in the King's retinue, with Lord Edward Howard, Sir Edward Hungerford, Sir Walter Stonor, his own brother Sir John, and many more.¹

In 1518 his first wife died; "on the 14th day of June anno 10, Henry VIII. then Monday, at Stonor, my wife the Lady Anne Fortescue died." Such is the entry in his Book of Accounts which has come down to us.

She was buried at Pyrton Church, close to Shirburn, where afterwards Sir Adrian lived. He does not appear to have intended that the body should finally rest there, for we find, in the next year, minute details of a marble tomb ordered from "the marblars of Corff, like unto Sir Robert Southwell's tomb in the Cloister of the Black Friars in London," to be finished by "the marbelars in Powles Churchyard, with pictures, writings, and armys gilt," after the rate of Sir Thomas of Parre's tomb; and that the said tomb was carried by water to the Priory of Bysham in Berkshire, to the church of that celebrated house. Here, after seven years from her death he laid his wife among her ancestors, the Montacutes Earls of Salisbury, Richard Neville the King-maker, her grandfather's brother, and her grandfather himself, the Marquis of Montague. The removal took place on the "last day of March in the 16th year of King Henry VIII." (1525).

¹ For the foregoing dates and facts, see Letters and Papers, Hen. VIII.; Chronicle of Calais, pp. 12 and 13; Lingard's Hist. Eng. vi. chap. i.; inscription on portrait of Sir John Fortescue of Salden.

The total cost of the tomb and ceremony of removal was 87*l.* 7*s.* 5*d.*—a large sum if it must be multiplied by sixteen to bring it to the present value of money.

Lady Fortescue's remains, however, did not rest finally in their new place of deposit. The religious troubles of the Reformation soon after began, and in 1538 the old Priory did not escape the fate of other monasteries, and was dissolved. Upon this, which Sir Adrian calls "the rasyng of Bysham Priory," he again removed the body, fearing, perhaps, the desecration of the church where it lay, which, however, did not take place. They were taken back to the neighbourhood of Stonor, although not to Pirton, and were finally deposited in Brightwell-Baldwin Church, two or three miles distant from it.

We find from the minute details extant in the accounts that these ceremonies took place at night: the coffin being carried in its "hearse" on a horse-litter, attended by numerous torch-bearers, and followed, at the first burial, by 656 poor persons, who received each their penny doles, and by more than 300 others.

At each church passed on the way the clergy met the corpse with lighted tapers, chanting dirges, and then celebrating masses in their churches. Forty-two priests at Bysham assisted at the mass, and at Pirton a funeral sermon was preached, for which the preacher received a present of 10*s.*¹

The "months mind" was duly performed, in July, 1518, by the devout knight, who expended 21*l.* 0*s.* 6*d.* on fifteen masses in one day at Pirton Church and Stonor Chapel, as well as at the Savoy, where he himself was at the time. At the two former places fifty-two priests were engaged in the services.

Brightwell was in the gift of Sir Adrian and of his wife, who we find presenting to it thus:—

Memorandum in the Will Book No. 1528-1543 at the beginning.

M. Nichus Bradbrige in artibz mag^r. presentatus per probum virum Adrianum Fortescu et Annam uxorem ejus filiam et heredem Wil^m Stonor militis defuncti ad ecclesiam parochialem de Brightwell Bawdewyn per mortem dñi Joh^{ns} Porter ultimi rectoris ejusdem.

He was not allowed to remain in undisturbed possession of his late wife's inheritance. For some years before her death, that is to say, almost as soon as, by her brother's death, she had succeeded to the estates of her father, her right to them was disputed by her uncle Thomas Stonor as heir male; and now, when at her death Sir Adrian² claimed them "by the courtesy of England for his life," and afterwards for his daughters Lady Wentworth and the Countess of Kildare, the dispute became more bitter and violent between him and Sir Walter

¹ See the accounts in Appendix.

² Act of Award, Fortescue and Stonor, 28 Hen. VIII. c. 36, A.D. 1536, in Statutes of the Realm, vol. iii. p. 690.

Stonor, son of Thomas before-named. His fortune was impoverished, and his life disturbed by many "riotts, assaults, and affrayes" between his followers and those of the opposite party, and it was not until after sixteen years of contention that the question was set at rest.

In the year 1519 this entry occurs in the items of the "first yeare's mynde" for his wife at Pirton:—"For 36 Skochyns of armys both in metall and colours, grett and large to give to dyvers Chirches in the country."

Early in the year 1520¹ Sir Adrian was appointed by Henry to accompany him and the queen to France on their expedition to meet Francis I. in the Marches of Calais, at Guifnes,

The following summons shows that he was one of the knights who were especially to attend the queen. Among his colleagues were Sir Walter Stonor, the claimant of his estate, and Sir William Rede his future father-in-law, with several besides. The gorgeous festivities which attended this famous interview on "the Field of the Cloth of Gold" are too well known to be repeated here; a very graphic account of them will be found in Holinshed.

*Henry VIII. to Sir A. Fortescue. 1520.*²

HENRY.

Right trusty and well-beloved, we greet you well. And whereas, this year last passed, after conclusion taken betwixt us and our right dear brother, cousin, confederate, and ally the French King, as well for firm peace, love, and amity, as of alliance by way of marriage (God willing) to be had and made betwixt our dearest daughter the Princess and the Dolphin of France, a personal meeting and interview was also then concluded to be had betwixt us and the said French King; which, upon urgent considerations and great respects, was by mutual consent for that year put over and deferred; so it is now, that the said French King, being much desirous to see and personally to speak with us, hath, sundry times by his ambassadors and writings, instantly desired us to condescend to the said interview, offering to meet with us within our dominion, pale, and Marches of Calais; whereas, heretofore, semblable honour of pre-eminence hath not been given by any of the French Kings to our progenitors or antecessors; we therefore, remembering the manifold good effects that be, in appearance, to ensue of this personal meeting, as well for corroboration and assured establishment of the peace and alliance concluded betwixt us, as for the universal weal, tranquillity, and restfulness of all Christendom; taking also consideration to our former conventions, and the great honour offered unto us by the French King for the said meeting within our

¹ Rymer Fœdera, vol. vi. part i. 182; and Chron. of Calais, p. 24.

² The Letter is endorsed "To our trusty and well-beloved fervant Sir Adryan Fortesque, Knight." The two or three last lines of the original are burnt off. Cotton MS. Caligula D. vii. Art. 118.

dominion, have condescended thereunto accordingly; the same to be, God willing, in the month of May next ensuing.

And, inasmuch as to our honour and dignity royal it appertaineth to be furnished with honourable personages, as well spiritual as temporal, to give their attendance upon us at so solemn an act as this shall be, for the honour of us and this our realm, we therefore have appointed you, amongst others, to attend upon our dearest wife the queen in this voyage, willing therefore and desiring you not only to put yourself in arreadiness, with the number of ten tall personages well and conveniently apparelled for this purpose to pass with you over the sea, but also in such wise to appoint yourself in apparel, as to your degree, the honour of us and this our realm, appertaineth. So that you, repairing unto our said dearest wife, the queen, by the first day of May next ensuing, may then give your attendance in her transporting over the sea accordingly; ascertaining you that, albeit you be appointed to the number of ten servants to pass with you (as is above said), yet, nevertheless, inasmuch as at your arrival at Calais you shall have no great journey requisite to occupy many horses, you shall therefore convey with you over the sea for your own riding, and otherwise, not above the number of three horses. Howbeit, our mind is not to restrain you to the said precise number of servants and horses for your own journeying unto our said wife and accompanying her to the sea-side, which thing we leave to your arbitrement; but only ascertain you of that number of servants and horses.

But before Fortescue with the "ten tall personages" of his suite had left England in obedience to these commands, he received a second King's Letter requiring his attendance at Canterbury to assist at the reception of the Emperor Charles V., who, anxious to prevent the meeting of the French king and Henry, announced his intention to visit his Uncle on his voyage from Spain to the Low Countries. He landed at Dover on the twenty-sixth of May, and remained at Canterbury until the thirty-first of that month, having failed in the immediate object of his visit, for on the same day on which he left Sandwich for Flanders, King Henry and his Queen crossed from Dover to Calais to fulfill their engagement with Francis.¹

The letter is here given: ²—

HENRY R.

By the King

Trusty and welbeloved we grete you wele, And whereas o' derrest broder Cousyn and good Nephieu Thempo' mynding to visite and reaforte to his Regions and Countreys of Spayn intendith also for the entire love affiance and singular affection that he berith and hath in and to us w^t in brief tyme not onely to take this o' Realme in his way and to see and salute us, but also to coïcate al his affaires w^t us for knowledge of o' advice and counsaile

¹ Holinshed, vol. iii. 645.

² Brit. Mus. Cott. MS. Vesp. C.L. fo. 299.

in the fame, we taking regarde to the faid Empo's gratitude in that behalf and confidering the proximite and nernes of blood wherin he is to us wyved w^t the auncient confederacions and amyties that alwayes heretofor hathe bene eſtabliſhed and firmly contynued betwext the houſes of Englande Spayne and Burgoyn, be determyned not oonly to receyve the faid Empo' in mooſt hono'able maner as to his dignitie and aſtate imperial it appteynith, But alſo to entertayne him w^t comfortable chere during his abode within o' faid Realme. And in as much as it is requiſitie we ſhuld be hono'ably accompanied at that tyme w^t o' lordes and nobles bothe ſpuall and temporall as wel for his cherefull and princely receyving as to conduyte him from place to place for the fame and renoñe of o' faid Realme, We therefor have appointed you amongſt other at that tyme to gyve yo' attendaunce upon us. Wherefor we woll and deſire you not onely to put yo' ſelf in ſuch redynes of apparail and otherwiſe as to yo' degre appteyneth, But alſo to order you in ſuch wiſe that ye may be w^t us at Caunterbury the xxvijth day of Aprill next comiſyng for gyving of yo' faid attendaunce upon us accordingly, Not failing to doo al excuſes put aparte, As ye tender the hono' of us and this o' Realm, Yeven under o' Signet at o' mano' of New Hall the iiijth day of Aprile.

M^d. After y^e p'paracon herefor I was cōmaunded to go to y^e ſee wnder my lorde admyrall wher we were and o' lordes xxi. wekes.¹

Adreſſed—To our truſty and welbeloved f'vāt
Sir Adriayn Fortefcue Knight.

The alliance between the two monarchs ſo oſtentatiouſly celebrated at Guines did not long continue. Both the King and his Miniſter Wolſey had objects of ambition which could be forwarded only by ſupporting Charles V., for Henry had claims upon the French Crown, and the Cardinal aſpired to the Papacy. Henry therefore before he left the Continent repaired to Gravelines to return the viſit of the Emperor, and there, by a ſecret treaty, a marriage was arranged between the latter and the Princeſs Mary, the heiress preſumptive to the Engliſh throne.

In 1522 England and France were again at war; and in July of that year the Earl of Surrey left the Calais Marches for Picardy with a large army; Sir Adrian accompanying him as one of his principal officers.²

The campaign paſſed over without a battle; the Duke of Vendome finding his forces too weak to oppoſe the Engliſh, or to protect the country from their burnings and devaſtations. They took “many towns and caſtles,” including Braye and Montdidier, returning to Calais and to England in October.

¹ This ſentence is written in a different hand, probably that of Sir Adrian.

² Chron. of Calais, p. 32.

Sir Adrian's name occurs once more in connection with the French wars. He may have held his Oxfordshire estates under conditions of military service; at all events, in 1528, he received "Letters under the King's signet,"¹ thus:—

HENRY R.

By the King.

Trusty and welbeloved we grete you wele, And forasmoche as the warres whiche longe have Contynued betwene thempo^r and the Frenshe King bee now fa quykened and w^t effect po^rfued on either partie, that dailly exco^rses bee made upon their frontiers, and the garnisons on booth sides largely fo^rnyshed and encreased, in suche wise as Rodes and other enterprises bee dailly made by the oon and the other in greate nombres al alonges and foranempst the frontier of o^r towne and m^rches of Calais, and right nere unto o^r Castell of Guyfnes, wherby no small damage migh ensue unto the same o^r Castell, and semblably unto o^r said towne and m^rches, And in caas there be nat speciall regarde had to the furniture fuertie and defense therof, We therfor by deliberat advice of o^r Counsaill have ordeigned and determined to sende a certain crewe of men wele elect and chossen unto o^r said towne, castell and m^rches, the same to bee under the leading of o^r right trusty and welbeloved Counsaillor the lord Sandes our Chamblain and Captain of o^r said Castell of Guyfnes, there to remaigne for a season upon the tuicion and defense of the same. To which Crewe we have appointed you to sende the nombre of x personnes fotemen archers and others to bee wele elect and tryed as is aforesaid, wherefor, we will and comaunde you that w^t all speede and celerite upon the receipt herof, ye prepare and putt in aredynes yo^r said nombre sufficiently harneised and apointed for the warre, In suche perfite hast as they maye bee at Gyldeford the iijth daye of the next moneth, there to bee viewed by the said lord Sandes, oonles ye shall before that tyme have from hym knowlege to the contrary, where also money shalbe delyvered to suche a persone as ye shall appointe for their costes and conduyte money, So to passe forth under suche captains To whome they shalbe letted to o^r faide towne and m^rches for the po^rpose before said, Faile ye nat therfor to use diligence herin as o^r trust is in you, Adverting the said lorde Sandes incontinently by this berer of yo^r conformable mynde herin. And these o^r bres shalbe as well unto you, for levyeng raising gathering mustring viewing arraying and sending of yo^r said nombre, as to them so by you levied raised gathered mustred viewed arrayed and sent as sufficient warraunt and discharge, as though the same were passed under o^r greate Seale, any act statute proclamacion ordennaunce or commaundement passed to the contrary not w^hstanding. Yeven under o^r Signet at o^r manor of Richemont the first day of Aprill the xixth yere of o^r reigne.

Addressed—To o^r trusty and welbeloved
S^r Adryan Fortescue.

¹ Chron. of Calais, 205, from Cotton MS. Faustina, vii. p. 113.

2 folio 210v §

that that optayne not that they shal have
 than thyll colour of genthe / consyderyng that
 they lacke yt by the dyscrepancy of the kynges of
 comyns / And the kyng shal have grete
 spece thes and gnyetnes / And be not defendyng
 agayn such Importune outowys / And yett geve
 grete maye love to the order wgan hym llyte
 And God save the kyng. / § § §

— / — / — /

— Explicit liber compilat[us] a fac[to] p[ro]p[ri]o ff[or]tescu
 ayll[us] quondam capitall[is] Justic[ie] Anglie / et
 et hic ~~scrip[ta]~~ scrip[ta] manu[m] p[ro]p[ri]a[m] mei
 ad p[re]sentem ff[or]tescu ayll[us] . 1532 . / et

— / — / — / et

— Loyall —  — pensee — §

About 1530 Sir Adrian married his second wife, she being about twenty years old and he at least fifty. This was Anne, daughter of Sir William Rede, or Read, of Boarftall in Buckinghamshire, of an ancient family there.¹

The College of Arms Pedigree makes Anne Reade to have been the widow of Sir Giles Grevill, but I think this is an error, because she could not have been more than twenty-one years old, being born in 1510, when she married Sir Adrian; and also because on her monument at Welford two husbands only are mentioned, viz., Fortescue and Parry.

She bore him three sons, John, Thomas, and Anthony; and two daughters, Mary and Elizabeth, of whom we shall write in their proper places. Sir Adrian seems, during this period and for the rest of his life, to have resided chiefly in Oxfordshire, where we find him continued in the commission of the Peace, either at Shirburn or Stonor Place, with occasional sojourns at his house in London "at the Black Friars."

A manuscript volume in his handwriting, with the date of 1532, remains to show that he had literary tastes, and that he admired the works of his great-uncle the Chancellor. Part of its contents is the treatise "On Absolute and Limited Monarchy." It was from this copy that Lord Fortescue of Credan, two hundred years later, printed the work for the first time. Preceding the former in the volume is a large part of the old poem of "Piers Ploughman," and at the end a collection of proverbs and moral sentences, which is here given:—

Many man makes Ryme and lokes to no Reason.
A King sekant treason, shall fynde it in his lond.
Trow not to the bonde, that ofte hath ben broken.
A foole when he hath spoken, hath all doñ.
A budde have² yroñ shoune, that bydes elke mans dedde.
When the fawte is in the hedde, the membre is ofte sikke.
A womañ gyf she be myke, is evill to knowe.
Many one glowes³ the lawe, ofte again the pore.
Who spendes his gude on a hore, hath bothe skathe & shame.
A man of evill name, is good to forbere.
He that vfith moste to fwere, is not best traned.
A bowe is best bowyd, when it is yong.
He that Rulith well his tonge, is holden for wise.
Money gotten at the dyse, riketh not the heyre.

¹ Pedigree in College of Arms. Pedigree and Arms, Harl. MS. 1234, f. 35. Fortescue Pedigree in Visitation of Devon, 1565, Harl. MS. 5871, f. 18. Fortescue Pedigree in Rawlinson MS. British Museum. Lodge, and the Biographia Britannica, make this lady to be the daughter of Sir William Rede of Rockingham Castle, but without giving their authority. At the sale of the effects of the late Mr. J. Bowyer Nichols, in Savile Row sale-rooms, June 28, 1864, a piece of stained glass, which I saw, was sold, marked in the catalogue as showing "Sir Adrian Fortescue's Arms quartering Chamberlayne and impaling Reade of Boarftall."

² It behoves him to have.

³ Interprets.

Family of Salden.

A woman gyf ſhe be fayre, may hap to be good.
 A collte of a good ſtodde, proves ofte beſt.
 Good cannot bringe leſt,¹ that is evill wonne.
 A warke well bigon, hath a better end.
 Paſe not² moche to ſpend over mokill on a ſole.
 Yt is eaſy to crye yole,³ at another mans coſt.
 A⁴ ſhall hunger in froſte, that in hete will not wyrke.
 Obey well the good kirke, and thow ſhall fare the bett^r.
 A woman tyed in fett^r. that is an evill trefor.
 Eate & drink by meaſo^r, and deſye thy leche.
 Men of mokill ſpeche, moñ ſoñ tyme lye.
 Thynke ay thow ſhall dye, thow ſhall not gladly ſynneth.
 A may be of good kynne, & himſelf litell worthe.
 The ſole byddes go furthe, & hath beth ſpore and wande.⁵
 He that is of evill cland, wyſſe men ſuſpectes.
 A ſcabbyd ſhepe infectes, all the hoole flocke.
 Wherfor ſerves the lokke, and the theſe in the houſe.
 Yt makis a wanton mouſe, an onhardy catte.
 A Swyne that is over fatte, is cauſe of his owne dedde.
 Flee ay from fedde,⁶ for fwete thinges are payſe.⁷
 Thow mayſte amend thre nayſe with ones ſayng yea.
 Ther is not ſo litell a flea, but ſomtyme he will nye.⁸
 Yt is not good to ſtryve, wth to farre nor to bigge.
 He that vſeth moſte to figge,⁹ is lothe to loſe his craſte.
 An old man is daſſte, that maryes a yong woman.
 Thow mon trow ſoñ mañ, or have an yll lyfe.
 Be not jelouſe over thy wyfe, for ſhe will wyrke the warre.
 He that toucheth pyche & tarre, cañot longe be clene.
 A wounde when it is grene, is beſt to be healid.
 A byle that is long bealid, will breke at the laſt.
 Onkindeneſs bye paſt, wolld be forgete.
 Be blythe at thy mete, devout at thy maſſe.
 For litell more or laſſe, make no debate.
 Bett^r is the hye gate, then the bye Rode.
 He that dredes not god, ſhall not fayle to fall.
 He that covetes all, is able all to tyme.¹⁰
 About thyne & myne, ryſeth mokill ſtryfe.
 He hath a bleſſid lyef, that holdes him content.
 A bowe that is longe bent, will waxe dulle.

¹ Pleaſure.² Regard not.³ Yule.⁴ Here, and in two other places, *A* ſtands for *He*.⁵ Prick and miſery.⁶ Sport.⁷ Pays means pitch.⁸ Annoy.⁹ To fig is to fidget.¹⁰ i.e. to loſe.

He that wotes when he is full, he is no fole.
Putt many to scole, all will not be clerkes.
At every dogge that barks, one ought not to be anoyd.
He that is well lovyd, he is not pore.
Gret labor and care, garres a man to be olld.
A good tale yll tolld is spyllt in the telling.
In byyng and fellyng, is many grete othe.
Comynly the best clothe, is best chepe.
He that wotes when to lepe, will somtyme loke a bak.
This it garres me to make, For shortnes of tyme.
Many mañ makes ryme, & lokes to no reafoñ.

L. fin.

On the first fly-leaf of the volume is this entry :—

“ Thomas Fortescue, seconde sonne to S^r. Adrian Fortescue, Knight, was borne at Shirbourne in the Countie of Oxforde the Wensday being the xiiijth day of May in the xxvjth yere of Kinge Henry theight, Anno Dñi 1534 hora secunda post meridiem; God-fathers att the Baptisme were Thomas Rede, Thomas Whitton; godmother the Lady Williams; godfather at the confirmation the Bishoppe of Oxon, that was Abbot of Thame.”

On the first page we find the following :—

“Jesús. Jesús.

Iste liber pertinet Adriano Fortescue Militi, sua manu propria scripta Anno Domin; 1532,—et Anno R. R. Hen. VIII. xxiiij^{to}.

Loyall Penſe.

Injuriarum Remedium—Oblivio.

Omnium Rerum vicissitudo. Parry.

ANNE FORTESCUE.

Garde les portes de ta bouche,
Pour fouyr peryl et reproche.”

The writing of the whole volume is in the same clear strong hand, the maxims being, perhaps, more hastily written than the rest. The MS. passed into the possession of Sir Kenelm Digby, whose name and initials are written upon it; he was an intimate friend of Sir Adrian's grandchildren the Fortescues of Salden. I examined the book at the Bodleian Library, where it is preserved, in 1863, and through the kindness of Mr. Cox, the Librarian, obtained the fac-simile from it which now appears in this work.

We may as well, although rather in anticipation of the date, notice here some other relics of the knight.

In Nichol's History of Leicestershire,¹ where he treats of the Fortescue Turvilles of Huflands-Bosworth, there is an account of a folio missal, which was once Sir Adrian's. It is "secundum usum Salisbur.," printed at Rouen by Martin Morini, 1510. On the back of the title-page is written in his own hand, "Liber pertinet Adriano Fortescue Militi," and then the following sentences. The date of 1536 is that of Queen Anne Boleyn's execution and of Jane Seymour's marriage. We may well imagine how distasteful must have been to him that part of the form which orders prayers for Henry VIII., "as superior head immediately under God of the spirituality and temporality of the Church," and are not surprised that he scratched them through with his pen.

"An order and form of byddyng of bedys by the King's comandment. A. Domini 1536."

Ye shall þy for the hole congregacōn of Chriſt's chirche, and eſpecially for this Chirche of England.

Wherin I firſt comēd [to your devoute þyers the King's moſt excellente Maieſtie ſupreme hede imēdiately under God of the ſpruāltie and teþoralitie of the fame]² Chirche, and the moſt noble and vertuous Ladye Quene Jane his moſt lawful wife.

Scondly, ye ſchal þy for the Clergye, and Lords teþorall and Commons of this realm.

Befeecchyng Almighty God to gyfe evēy of them in his degree grace to uſe themſelves in ſuch wiſe as may be to his contentacōn, the Kyng's honor, and the weel of the realme.

Thirdly, ye ſhall þy for the ſouls that be deſtroyed abydyng the mēce of Almighty God, that it may pleaſe hym the rather at the conteþlacōn of o' pýrs to gñt them the fruycōn of his pſence.

"God ſave the Kyng."

At the foot of the Calendar for June, referred to the 14th day, is:—

"Hac die Lune anno dñi M^{lmo} V^{mo} xviii (obiit) Anna uxor Adriani Fortescue Militis apud Stonor in Com̃ Oxoñ; et ſepulta eſt in Eccl̃iā pōrat. de Byſham in Com̃ Berk a° Reg̃. Henrici octavi decimā tiā dñcale C."³

Againſt July 28th is written:—

"Obiit J. Fortescue Milit. Pat. Adř. a° Rē. h. vii. xv."⁴

Sir Adrian's feelings of devout attachment to the Church of Rome inclined him, when his royal maſter threw off his allegiance to the Pope, to join a ſociety famous for its attachment to the Holy See, and bound together to extirpate hereſy; accordingly, in

¹ Nichol's Leicestershire, vol. iii. part i. p. 528.

² N.B. The words between brackets are in the original daſhed through with a pen. Nichol.

³ Sic in orig. The Account Book dates the burial March 31ſt, 1525.

⁴ i. e., J. Fortescue, Knight, father of Adrian, died in the 15th year of Henry VII. 1523.

the year 1532, he was admitted as a knight of St. John of Jerusalem.¹ Mr. Edmund Waterton, whose courtesy and kindness in directing my attention to several points relating to the Order I desire here once for all to acknowledge, informs me that Sir Adrian went to Malta for the purpose. This, however, is by no means likely. There is no trace of any such long, and, in those days, serious journey having been taken by him, and we know that he was in England in the year of his admission. Moreover, in Mr. Winthrop's List of Knights of the English tongue, he is not marked as one of those who were known to have been at Malta.

He was doubtless received by the Lord Prior of the Order in London. Mr. John James Watts, another obliging contributor of information about both the Fortescues members of the Order to which he is so much attached, affirms that Sir Adrian, being a married man, could only be a "Knight of Devotion;"² that is to say, he was allowed to wear the crosses of the Order out of devotion, and to share all its spiritual privileges; but he was not a "Knight of Justice" *in gremio religionis*; the "Crosses of Devotion" having been conferred upon him as a mark of favour, as one who had deserved well of the Order.

Two years later, in 1534³, the Order was abolished in England by Act of Parliament, and its property confiscated; a body of men so closely bound to maintain the Pope's supremacy being sure to fall under Henry's displeasure. Up to that time the Lord Prior of England sat in the House of Lords above the senior Baron.

We shall get some insight into the details of Sir Adrian's life by examining his "Book of Accounts," kept through the year 1534, and in the beginning of 1535, which is almost a journal of his actions. The beginning of the former year found him living at Shirburn. In January he receives from John Ford payment of his rent for lands in Devon. We find mention also of estates in Suffolk and Essex,⁴ for which his son-in-law, Lord Wentworth, paid him a rent. He brings his greyhounds to Shirburn from Stonor. On the 23rd of January he rides to London, by Colnbrook, with "Master Chamberlayne," whose costs for the journey he pays, his servants "Robin and Thome" returning home with the horses.

In London he stays at "his Lodging," which, however, as other entries show, was his own house, and was situated in the Black-Friars. Items of payments to "Mr. Knighton for costes of the law" this term, suggest the nature of the business which had called him to London, where he stayed twenty days, taking home with him to Shirburn his "Cousin Lewis Fortescue." This was one of the Spridleston family, who afterwards, in 1542, became a Judge, as Baron of the Exchequer. While in London the knight "gained at play" 7*l.* 3*s.* 3½*d.*

¹ W. Winthrop, in Notes and Queries, Aug. 27th, 1853. List of English Knights of Malta; "those Knights known to have been at Malta will be distinguished by a star."

² Notes and Queries, Jan. 31st, 1863.

³ Sutherland's History of the Knights of Malta, ii. p. 114.

⁴ Accounts, in Appendix.

At the time of the Spring Assizes he goes to Oxford, where he had a cause at Nifi Prius against Ambrose Pope, with his cousin Lewis for his counsel. Then comes a second trip of a few days to London and back. Then a journey into Gloucestershire on the 20th of March, with six servants. His business now was to visit the Manor of Lasborow near Tetbury, and Bradeston; the latter was already his property, and the former he now agrees to purchase. He mentions 1,500 sheep belonging to him there. Passing through Farringdon on his way home, on Lady Day, March 25th, he hears mass, and returns to Shirburn or Stonor with four lamprey pasties. The farmer and warden of Bradeston entertained their landlord during his stay without cost to him.

In Passion Week he makes a third journey to London, staying from home only five days. This time he is summoned by a King's messenger, with letters from Cromwell, the minister, ordering him to come to the King's Grace.

On the 10th of April he is at Shirburn; on the 26th he leaves it on a fourth journey to town. His suit with Sir Walter Stonor, in which matter he now expects "the King's award" to be made, and an alarm lest he should suffer as security for the old Lord Cobham, as well as the purchase of the Manor of Lasborow, now concluded and paid for, employed him there until May 22nd, when he returns to Shirburn, taking with him "four pair small schone for his lytel son John,¹ and Mary."

On the 9th of June he leaves Shirburn for London, on his fifth journey, with 27*l.* 3*s.* 9*d.* in his purse. Now at last the seal is put to the "King's arbitrement" between him and Sir Walter Stonor, and he rides home on Sunday the 21st day of June, pleased to see the end of his long cause.

In July he again attends the Oxford Assizes for his proceedings against Ambrose Pope; and in this month two hurried trips to London and back seem to portend the troubles which were about to fall upon him; for a little further on we find him writing that "here on Saturday, being the 29th day of August, anno 26th of Henry the 8th, I was committed to the Knight-Marshall's ward at Woodstock, Vaughan the Groom of the King's Chamber coming for me to Shirburn." Although there is no express allusion to the cause of this arrest, there can be little doubt, from what we know of his strong attachment to the Pope's supremacy, that it was on account of his refusal or hesitation to acknowledge the King as head of the Church, this being the moment of Henry's open rupture with Rome, when many were imprisoned for their "obstinacy," and so kept until the general pardon in the autumn of the same year, 1534.²

On the 29th of August he was kept some hours at Woodstock. This place, as containing a royal residence, was within the jurisdiction of the Knight-Marshal Sir Thomas

¹ The little son was Sir John, the Chancellor of the Exchequer to Elizabeth.

² Rapin, vol. i. p. 801.

Wentworth.¹ Sir Adrian was taken by him the same day to Thame, and remained there in custody during Sunday. Here he "has a Priest to his Inn twice," to say mass, for which he pays 16*d.* On Monday he sleeps at Uxbridge, and next day, September 1st, is taken first to his own house at Black-Friars, and then to Southwark to the Marshalsea. Here he is kept by Wentworth until the 8th of October, being allowed occasionally to visit his house, where Lady Fortescue had come to be near him. On that day "Sir Thomas Wentworth rode northward in the afternoon, and from thenceforth," says Sir Adrian, "I boarded myself, and provided for all manner of necessaries for myself, my wife, my servants, and for all other in the house there, at my charge, as it appeareth in the household book then entered and written at the desire and request of the same Sir Thomas; and so continued during the time of my being in his ward and custody." His imprisonment must now have become very mild, perhaps almost nominal, and we may presume that it ended soon after with the general pardon in November. Here, however, the Book of Accompts comes to an end, after some items showing that, according to the King's award between him and Stonor, Sir Adrian removed his goods from Stonor, and had "an inventory indentyd of the deliverance of Stonor Place," which family seat was to remain to the heirs male.

In 1536 an Act of Parliament is passed, confirming this award between Sir Adrian and Sir Walter Stonor, by which the former is to keep for his life one share of the estates, and Sir Walter Stonor the other; Sir Adrian's part to descend to his two daughters by his first wife, namely, Margaret, wife of Thomas Lord Wentworth, and Frances, wife of Thomas Fitzgerald, Earl of Kildare. As to the latter, it is enacted that whereas the husband of Lady Frances, Thomas Fitzgerald, was, at the time of the making the award, "a detestable and heinous rebel and traitor to the King's Highness," and imprisoned in the Tower, and therefore not able to agree to the award, that nevertheless the Lady Frances should have the benefit of the award, and that she and her husband should be bound by it.

The "heinous" rebel was Thomas, tenth Earl of Kildare (surnamed "Silken Thomas,"² because he and his body-guard wore silken fringes on their helmets), who had risen against the English government, and having given himself up to the Lord Deputy on the 18th of August, 1535, was sent to the Tower, and there imprisoned until the 8th of February, 1537, when he, with five of his uncles, his father's brothers, "was executed at Tyburn, being drawn, hung, and quartered."³ He was only twenty-four years old. His wife had left her husband upon his rebellion. Agard writes to Cromwell, May, 1535:—"I thinke Mr. Pawlett will comme with the nexte wynde, and with him Thomas the traytors Wyffe. He lovys hir well

¹ He was ancestor of the Wentworths, Earls of Strafford, and is not to be confounded with Thomas Lord Wentworth, Sir Adrian's son-in-law.

² Earls of Kildare, by Marquis of Kildare, vol. i. p. 131.

³ Ibid. p. 168.

(a primâ facie), Howbeit I cannot perceyve that sche favors him foo tenderlye."¹ And again, May 15th :—" Mr. Powlett has brought over from Ireland 20 Hobbies, and Thomas the Earl of Kildare's wife, Frances Fortescue."² Lady Kildare had no issue, so that both parts of her mother's share of the Stonor estates fell to Lord and Lady Wentworth.³

The remaining notices of Sir Adrian are almost confined to those of his attainder and execution.

The two following letters to Mr. Knighton and Lord Essex,⁴ dated a few months before that event, and an inventory⁵ of the goods in his house, dated on the 18th of February, 1539, which not improbably was taken upon his arrest for high treason, are all that I have been able to discover :⁶—

To Mr. Knighton.

Mr. Knighton I recommend me to you, And here inclosyd I send a letter the which I pray you to convey to my Lord of Essex, it is to fertyfye hym of the new fewte commensyd this last Hillary terme ayenst his Lordschipe, my lady Walgrave S'. Fraunceys Bryane & his wyff & ayenst me & other for the 110^{li} that hys Lordshipe owyth to the Kynges grace & also for 42s. 6d that I have paid for withdrawinge the fewtes of the fame now & 2 tymys past (moreover I pray you Remembre the cause that I movyd you in effectually), And thus fare ye well in helth writyn at Londone this 10th day of Februarye anno 30^o Regis Henrici Octavi with the hand of your old lovyng & acquayntyd Frend

ADRYAN FORTESCU KT.

(*Indorsed*).—To my lovyng Frend Thomas
Knyghton Gent. dwellyng at
Bayford in Hertfordschire this.

To the Earl of Essex.

Right Honourable & my good Lord my duetie remembryd this is to advertyse you I before this tyme have byn fewyd for your Lordschipe for 110^{li} that I with other ar joyntly boundyn with your Lordschipe and at your desyer & for your dettes to the Kynges graces use & so now this terme shuld have byn at exegent wherupon I made request & fuede to the Kynges graces counsell to commense a newe action as well ayenst your Lordshipe & my

¹ Earls of Kildare, by Marquis of Kildare, vol. i. p. 170.

² Cal. State Papers, Irish Series, Hamilton, 1509-1573.

³ Leland's Itinerary, by Hearne, vol. iv. part i. pp. 19, 20.

⁴ This Lord Essex was Henry Bouchier, second Earl of Essex, who was killed in this same year (1539) by a fall from his horse, at his Manor of Basse, in Hertfordshire; and not Cromwell, made Earl of Essex before the end of 1539.

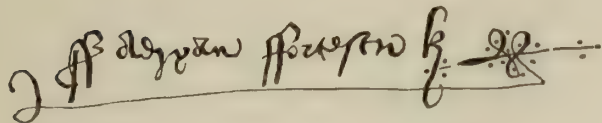
⁵ See the Inventory in the Appendix.

⁶ The originals of these two letters are preserved in the Record Office, under the head of Miscellaneous Letters temp. Hen. VIII. c. 2-4, second series, vol. xii. Their dates are February 9th and 10th, 1539.

Lady Walgrave & Sir Fraunceys Bryan & my suster his wyffe as ayenst me, & so by my grete suete it is grauntyd & done, wherby I was forsyd to pay for the other processe & so I dyd which was 12*s.* 9*d.* which I now paid & also before this tyme 2 tymys I payd in all 30*s.*, which I pray your Lordship to fend me ageyn which is in all 42*s.* 9*d.*, And also that your Lordschipe wolke take some perfyte end in the same cause schortely or els yt wolke to our farder daungers & your dishonour to see us thus in trobills for your Lordschipe, And if your Lordschipe do not see sum end herein on my fayth for my part I shall not onely complayne to the Kynges highnes herein but also put your Lordschipe in feute upone the obligacioun that I have of your Lordschipe to save me harmeles which is forfeited wherof I wol be loth. Good my Lord see remedy in tyme and thus our Lord preserve your Lordschipe in helth with increffe in honour Writyn at Londone this 9th day of February anno 30^o regni regis Henrici octavi with the hand of your owne to my power.

ADRYAN FORTESCU K.

Indorsed.—To his Right Honorable Lord
the Erle off Essex this ledtd.



The woodcuts on this page represent Sir Adrian's signature, and his seal.

I have searched in vain for documents to throw light upon the events which led to Sir Adrian's attainder in the spring of 1539. In all the histories of the period he is mentioned as included with Margaret Countess of Salisbury, her son Cardinal Pole, Gertrude Marchioness of Exeter, and Sir Thomas Dingley, in the Act of Attainder passed by the Parliament which met at Westminster, April 28th, 1539.

Burnet says that "Sir Adrian Fortescue was attainted for endeavouring to raise rebellion."¹ Lord Herbert² finds no more against him but that he was accomplice with the Ladies Salisbury and Exeter; and that in the house of the former at Cowdray were found

¹ Hist. of Ref., i. 360, folio.

² Herbert, in Kennett's Complete History of England, vol. ii. p. 219.

Bulls granted from the Pope; and that she forbid her tenants to have the New Testament in English, or any other new book the King had privileged.

There seems to be no doubt, from what we have seen of his disposition, but that Fortescue's treason consisted in his refusal to acknowledge the supremacy of the King in place of that of the Pope, over the Church in England, or to conform to Henry's innovations in religion,¹ the principle for which More had died four years earlier.

The Act was passed without the persons accused being permitted to make their defence, or without any examination of witnesses by the Parliament. If any were examined, "it was," says Burnet, "either in the Star Chamber, or before the Privy Council; for there is no mention in the journals of any evidence that was brought. The House of Lords made some efforts to oppose this injustice; but Cromwell so bullied the Parliament, that he made them pass this Bill, which was afterwards urged against himself. It passed with much haste, being brought in on the 10th of May, and read that day for the first and second times, and on the 11th of May for the third time."²

Fortescue was one of the first sufferers under this tyrannical mockery of judicial legislation. "Sir Adrian Fokew, and Sir Thomas Dingley Knight of St. Johns, were, the tenth day of July, beheaded,"³ is the brief notice of Hall in his Chronicle.

"He had for many years," says an historian, "enjoyed the King's favour in an especial degree, but notwithstanding his great services, and that no positive proof was brought against him, he was executed; being much regretted as a person of great learning, prudence, and wisdom; a gallant man and a great officer," and as one that was sacrificed to the King's peace, and gratification of his suspicions, "rather than from his being guilty of any formed design to the prejudice of the Crown."⁴

By the Knights of Malta he was looked upon as a martyr, who had laid down his life rather than renounce his allegiance to the Pope; and their successors still observe the day of his execution, which they fix on the 8th of July, "in commemoration of his sufferings, and of those who suffered with him."⁵

It would appear that the Roman Church has not even now forgotten Sir Adrian's claims upon her for consideration. So lately as in 1874 there was a serious desire on the part of some Roman Catholics of high standing to give him a step in the precedence of departed souls by promoting him from the rank of "Beato" to that of "Saint." As yet, however, their efforts do not appear to have been successful.

¹ It is not necessary to account for this refusal on any particular grounds, such as the oaths by which the Knights of St. John were bound to their Order; the repugnance to substitute the King for the Pope in the spiritual government of the Church was as common as it was natural.

² Burnet, *History of Reformation*, and Rapin's *Acta Regia*.

³ Hall's *Chronicle*.

⁴ See Playfair, *British Family History*, vol. v. 125, article "Clermont;" and *Biog. Brit.* vol. iii. 2003.

⁵ Mr. Winthrop, in *Notes and Queries*, for August 27th, 1853.



ST. ANTHONY OF PADUA
by J. M. W. Turner, 1845

In the Knight's church of St. John's, at Valetta, his portrait appears in two places; "one, in a fitting posture 7 feet high on stone, is just above the *Cornicione* of the church, at the spring of the arched ceiling of the nave, on the left-hand side of the fifth window; it forms one of the *Beati* and *Martiri* which surround that part of the church.¹ The other is painted on canvas the dimensions of which are six feet ten inches by five feet one inch; the figure of life size, with an angel holding the palm of martyrdom. It hangs on the left side wall of the Oratorio della Misericordia in the same church. They are both by Cavalier Mattias Preti surnamed *il Calabrese*,² who lived at Malta between 1670 and 1699."

In the Collegio de San Paolo at Rabato near Citta Vecchia in the same island there is a third, on canvas, where he is shown, with the executioner's sword severing the head from the body. This inscription is at the bottom of the picture:—

"FR. ADRIANUS. A. FORTE. SCUDO. MILES. ORDINIS. S^{TI}. IOANNIS. HIER^{MI}. AB. HENRICO. VIII. ANGLORUM. REGE. OB. CONSTANTEM. FIDEI. CATOLICÆ. CONFESSIONEM. UNA. CUM. ALTERO. EIVSDEM. ORDINIS. EQUITE. CAPITE. PLEXUS. DIE. 8. IVLII. 1539."

Of these three pictures, of all of which I have obtained excellent copies, the two first are evidently rather ideal compositions than actual likenesses; the third, however, that at Rabato, of which a print is given in this volume, has all the appearance of a portrait. In this opinion Mr. Inglott, of Malta, agrees, a gentleman who, through the kind intervention in my behalf of Sir Gaspar Le Marchant, then governor of the Islands, furnished many details and much useful information, besides taking the trouble to execute very efficiently my commission for copies. That gentleman writes that the portrait is on canvas, 6 feet 8 inches by 4 feet 10 inches, of life size, and that it is supposed to be, at all events in part, a copy of a good original of the early part of the sixteenth century. This assertion is strengthened by another document from the Malta Records—namely, a licence given at Madrid, dated the 6th of September, 1621, to a certain Doctor Fray Vidal Vital, of the Order of St. John, who applies in the name of the said Order, granting him a certified description of a portrait (*retrato*) of the "Beato Fr. Adriano Fortescudo," in the English College of St. George in that Court, the particulars of which agree with the Rabato picture in almost every point, with the exception that the Madrid picture was only half length, while that at Rabato is full length, the lower part being probably added from imagination, to make a larger picture. I annex the wordy old Spanish paper in full. Whether the picture to which it relates still exists or not, I have not been able to ascertain.

En la villa de Madrid a seis dias del mes de Septiembre de Mill y feys cientos y veinte un

¹ This picture has been lithographed, with the twenty-five others of the series, of which it forms No. 10. The series was published at Malta in 1859, from copies by Cashieri.

² See Mr. Inglott's letter to me.

años, ante el S^r. Licenciado don Francisco Valaquer del Consejo del Rey n^{ro} Señor, Alcalde de su Casa y corte, y ante mi Lorenzo de Venavides Scribano de provincia, en ella se presenta la peticion del tenor siguiente.

El Doctor Fray Vidal Vital Pensionario de la Orden y Cavalleria de San Juan, y en nombre de la dicha orden, digo que a mi derecho combiene facar traslado autentico, de como en el Collegio de Yngleses de esta Corte que llaman de S^r. Jorge está el Retrato del Beato Fray Adriano ForteEscudo, Cavallero de la dicha orden, y de un traslado de la partida del Libro de la dicha Yglesia tocante el dho Beato Fr. Adriano ForteEscudo. Suplico a V. M^d. mande que qualquiera Scribano le faque, y para este efecto la persona que tiene el dho libro le exiva ante él, pues es justicia, y pido para ello &c. Dr. Vidal Vitale mano propria.

Y visto por el dicho S^r. Alcalde proveyo a ello un dicto el cual y los demas en su virtud fechos son como se sigue. “Que se le dé al contenido en esta peticion el testimonio y traslado que por ella pide, y para este efecto la persona a cuyo cargo está el libro de la dicha Yglesia de Sⁿ. Jorge le exiva. El S^r. Alcalde Don Fran^{co}. de Valcaquer, lo proveyo en Madrid a feys de Septiembre de mill y feis cientos y veinte y un años.”

Yo Pedro De Figuerda, Scrivano y not^o. publico de S. Mag^d. en la su Corte Reynos y Señorios, de pedimiento y requerimiento del Doctor Fray Vidal Vitale del habito de Sⁿ. Juan fuy a la Yglesia del Colegio de Sⁿ. Jorge que es de nacion de Yngleses para cumplir con el tenor del auto de arriba; y entre otras cosas, vi que entrando en dicha Yglesia a man yzquierda, que estando en el altar mayor buuelto al pueblo vien eser à man derecha, estaba un Retrato pintado en tabla, con su marco dorado, de un Cavallero en medio cuerpo con una ropilla azul a lo Ingles, sin sombrero, con una valona, y las manos ligadas con una foga y una cruz en ellas, y con una capa amarilla, y en ella al lado yzquierdo, el havito y cruz blanca de Señor Sⁿ. Juan, y un cuchillo a la garganta que parecia aver sido degollado con el, y correr la de la sangre; y por lo baxo a la tabla tenia un Rotulo escrito con letras mayusculas Goticas que decian asi: “B. Adriano ForteScudo Cavallero del habito de Sⁿ. Juan, fuè degollado por la Fée Cat^a. con otro Cavallero del mismo orden por mandado de Enrique 8vo en 8 de Jullio de 1539.” Y este dicho Retrato declararon Guillelmo Numan y Duarde Missendino Sacerdotes Yngleses ser el que en el dicho pedimiento se hace mencion; y q^e por el Libro escrito por el Dr. Nicolas Sandero cuyo tit^o. *De Visibili Monarchia Ecclesiae* (Libr. 7^o) refiere la historia de dicho Cavallero martir, en el qual se hablarà su vida y martirio, y de otro cavallero su compañero, llamado Thomas Yngley; y esto declararon y firmaron, viendo testigos Juan Saniel, y Juan Betris estentes en esta Corte. De lo qual doy fee Guillelmo Numan, Duarte Misendino, Pedro de Figuerva Scriv^o.

En la villa de Madrid a feis dias del mes de Septiembre de mill y feis cientos y veinte y uno años, vistos estos Autos por el Licenciado Don Fran^{co}. de Valcaquer del consejo de S. M^d. Alcalde de su Casa y Corte dixo q^e mandava y mandò dar de todos ellos al Dho F^r. Vidal Vitale, y las demas personas q^e los quisieren todos los traslados que fuesen pedidos signados

y en publica forma; a los quales y a este original ynterponia y ynterpuso la autoridad y decreto judicial que puede y a lugar de derecho, para que valgan y hagan la fee que hubiere lugar de dicho; y lo señalo Lorenço de Venavides.

Va este Auto en juicio y fuerza, y fuera del; y lo señalo, yo Lorenço de Venavides Scrivano del Rey nro Señor, que hago Officio de Scrivº. de provincia de su casa y Corte por el sobredicho al presente a lo que de mi se hace mencion, con el Sº. Alcalde que aqui firmose, de cuyo mandamº. este auto fize sacar; y lo otorgamos. Y en testimonio de verdad

Crucis ✝ *signum Notamus.*

LORENZO DE VENAVIDES.

EL LICENCIADO DON FRANCISCO DE VALCACER.

Los Scribanos de su Magestad que aqui siñamos y firmamos y damos fee que Lorenzo de Venavides de quien va signada y firmada la escritura desta otra parte es Escrivano de Su Magª. y al presente usa y exerce el Offiº. de Scrivº. de provincia en esta Corte por Blas Garçia; y como tal a las Scritturas, y Autos que ante el han pasado y pasan siempre se les ha dado y da entera fe y credito en juicio, y fuera del, como a escrituras y autos fechos y otorgados ante tal Scrivº. fiel y legal y de confianza. Y ansimismo el Sº. Licenciado Don Franº. de Valcaçer de quien va firmada la dicha informacion, es del consejo de Su Magª. y Alcalde en la Casa y Carte, y como tal usa y exerce el dicho Officio; y con el despacha el dicho Lorenzo de Venavides. Y para que de ello conste de pedimiento de la parte de Fra. Vidal Vitale del habito de Sº. Juan, dimos la presente en Madrid a diez y siete de Septiembre de Mill seis cientos y veinte y un años.

En testimonio ✝ de verdad—En testimonio ✝ de verdad—En testimonio ✝ de verdad, Jhoan de Bragos, Antonio Ruiz de Olea, Scrivº. Marcos Perez.

Estratto del Registro delle Bolle di Cavalleria dell' Ordini Gerusolombare No. 145, anni 1620, 21, e 22, fol. 345, atergo.

Certified by

J. GASPAR LE MARCHANT,
Lieut.-Gen. and Governor of Malta.

October 31, 1864.

Translation of the foregoing.

In the city of Madrid, on the 6th of September, in the year 1621, in presence of me, the Licentiate Don Francisco de Valcaçer, of the Council of our Lord the King, Alcalde of his House and Court; and in presence of me, Lorenzo de Venavides, provincial notary public, was presented a petition in the following terms:—

“I, Doctor Fray Vidal Vitale, Pensionary of the Order and Knighthood of St. John, and in the name of the said Order, do declare that I have a right to a certificate to this effect—namely, that a Portrait of the Blessed Fray Adriano Fort-Escu, a Knight of the aforesaid Order, exists in the English College of this Court, called the College of St. George; and

moreover, that I have a right to a copy of such part of the contents of the book of the said Church as relates to the said Adrian Fort-Escu. I therefore pray your worship to direct that such a certificate shall be drawn up by a notary public; and to this end that the person in whose keeping the said book is, shall produce it to the said notary. For this is my right, and I pray for it. Signed with my hand,

“DR. VIDAL VITALE.”

With reference to this petition, the said Alcalde issued an order in behalf of the petitioner, which, and other orders made in his favour, are as follows:—

“Let the certificate and copy prayed for in this petition be given to the petitioner, and for that purpose let the book of the aforesaid Church of St. George be produced by the person in charge of it.

“Issued at Madrid, by the Señor Alcalde Don Francisco de Valcaçer, the 6th of September, 1621.”

“I, Pedro de Figuerda, scrivener and notary public to his Majesty in his court, kingdoms and lordships, at the desire and requisition of Doctor Fray Vidal Vitale of the Order of St. John, went to the Church of the College of St. George, belonging to the English nation, in compliance with the aforesaid order, and there observed, among other things, that on the left hand as I entered the church, and on the right hand as I stood at the high altar with my face towards the people, there was, in a gilt frame, a portrait painted on board, half-length size, of a knight, with a blue vest in English fashion; no hat; with a valona¹ in front, and his hands tied together by a cord, with a cross between them; a yellow cloak, and on it, at the left side, the cross and order of St. John; a knife is at the throat, appearing to have cut through it, blood flowing from the same. At the bottom of the board is painted a roll, and on it, written in Gothic capitals, thus:—‘The Blessed Adrian Fort-Escu, Knight of the Order of St. John, was beheaded for the Catholic faith, together with another Knight of the same Order, by command of Henry VIII., on the 8th of July, 1539.’

“Moreover, William Numan, and Edward Missendino, English priests, have declared that the portrait aforesaid is the same which is mentioned in the aforesaid petition; and they say that the history of the aforesaid knight and martyr is related in a book written by Doctor Nicholas Saunders, with the title of *De Visibili Monarchia Ecclesiæ* (Libr. 7^o.), in which his life and martyrdom are treated of, as well as those of Thomas Yngley, his companion. This they have declared and signed; whereof are witnesses Juan Sariel and Juan Betris of this court; and I believe them. William Numan, Edward Missendino, Pedro de Figuerda, notary. Madrid, this 6th of September, in the year 1621.”

The aforesaid documents being submitted to the Licentiate Don Francisco de Valcaçer,

¹ A Valona is translated in the Lexicon, “A plaited piece of linen hanging from the collar of the shirt.”

a member of his Majesty's Council, and Alcalde of his House and Court, he has directed that copies of such of them as have been asked for, duly signed and in public form, shall be given to the aforefaid Fray Vidal Vitale, and to others who may wish for them. And to all such copies, as well as to this original, he attaches the authority of a judicial decree, with the power and right of law, to the intent that they may have the force and credit of such said right. Signed by me, Lorenzo de Venavides. This decree is good in judicial acts and in all others; signed by me, Lorenzo de Venavides, notary of our Lord the King, actual provincial notary of the House and Court of the said King, in that which concerns my office. Together with the Alcalde who here signs, by whose command I have drawn up this decree.

We approve of the above. In testimony of the truth whereof, *Crucis ✠ signum Notamus.*

LORENZO DE VENAVIDES.

EL LICENCIADO DON FRANCISCO DE VALCACER.

We the undersigned notaries of his Majesty certify that Lorenzo de Venavides, who has signed and attested the writing on another part of this paper, is a notary to his Majesty, and at present fills the office of provincial notary at this Court for Blas Garcia; and as such has always given to the documents which pass before him entire validity and credit, both in judicial acts and in all others, as writings certified and approved by a notary, faithful, loyal, and trustworthy. And we further certify that the Licentiate Don Francisco de Valcaçer, who has signed the aforefaid information, is of the Council of his Majesty, and Alcalde of his House and Court, and performs the duties of that office; and with him acts the aforefaid Lorenzo de Venavides. And to the end that by him should be ratified the petition of Fray Vidal Vitale, of the Order of St. John, we have issued these presents at Madrid, this 17th of September, 1621. Certified as true, Jhoan de Bragos. Certified as true, Antonio Ruiz de Olea, Scrivano. Certified as true, Marcos Perez.

Extracted from the Register of Stamped Papers of the Order of Knighthood of St. John of Jerusalem, No. 145, A.D. 1620, 21, 22, fol. 345.

Mr. Edmund Waterton has sent me a notice of a fifth portrait of our martyr at Florence. Writing on the 16th of April, 1865, he says: "Sir Adrian Fortescue's figure is introduced in a large fresco in the Anunziata Church; it is rather in the background, and will be recognized from being dressed in the fighting-dress, or 'sopra-veste,' of the order of St. John, viz., a short tunic, like a herald's tabard, of red, with a large cross of white. The fresco is the one at the end of the church, just over the shrine of Santa Maria dell' Anunziata."

In "Le Martyrologie des Chevaliers de Saint Jean de Hierusalem," in the Imperial Library, at Paris, as well as in the archives of the order at Malta, there is a coat of arms given as borne by Sir Adrian, which he must have assumed as a knight of the order, described as "Azure, with three sheaves of corn Or." It was only used in connection with the order, for we know that he did not alter his family arms.

When Queen Mary came to the throne she did not forget the widow of the man who had suffered through her father's heresy, but took her at once into favour. She appears among the ladies who attended the Queen on the 30th of September, 1553, from the Tower to her palace of Westminster. "Then next this Chariot rode ten Ladies and Gentlewomen in crimson velvet, their horses trapped with the same, viz.—

The Lady Fortescue,	Lady Bruges,
Lady Walgrave,	Lady Kemp,
Lady Mansel,	Mrs. Finch,
Lady Clarentieux,	Mrs. Gerningham, and
Lady Peter,	Mrs. Sturley." ¹

Among the ladies in the chariot we find Sir Adrian's daughter, Lady Wentworth.

In the fifth year of her reign (July 25, 1557-58) Lady Fortescue received from the Queen grants of several manors in Gloucestershire, namely, Pamington, Gotherington, Tredington, and Washbourne, near Tewkesbury, and the Manor of Hamsteed near Chipping-Sodbury.² Of these, Gotherington and Washbourne³ were sold by her grandson, Sir Francis Fortescue, in 18th James I. (1620), to Elizabeth and William Craven.

The several grants of the 5th of Queen Mary are made to "Anne Fortescue, widow of Sir Adrian Fortescue, and to the heirs male of Sir Adrian."

She married a second husband, Thomas, afterwards Sir Thomas, Ap-Harry, or Parry, who left by her two sons and a daughter. The date of this marriage does not appear. Parry is first mentioned as her husband in a licence to alienate a close pasture at Westcott, near Laiborough, in Gloucestershire, granted in the 3rd and 4th Philip and Mary, 1556-57, but he must have been so long before. Strype⁴ writes of him that at Queen Elizabeth's first council, after her accession, one of the chief matters done was that "Sir Thomas Parry, Knight, who had been a servant much about her, was by her command, and in her presence, declared the Comptroller of her Household, and sworn of her Privy Council." He died in 1575.

His daughter, by Sir Adrian's widow, was married to Sir Thomas Knyvett before July, 1590, as appears from letters to the latter from Sir John Fortescue and Thomas Fortescue of Donnington, where they address him as their brother and his wife as their sister.⁵ Sir Thomas Knyvett, a gentleman of the king's Privy Chamber, and a Justice of the Peace for Westminster, was he who searched the vaults under the House of Lords, and arrested Guy Fawkes there preparing to carry into execution the Gunpowder Plot, on the

¹ Strype's Memorials, vol. iii. part i. p. 54.

² Rudder's Gloucestershire, 1779, pp. 235-371, 777-788, and 678.

³ Originalia, in Add. MS. 6387.

⁴ Annals of the Reformation, vol. i. part i. p. 8.

⁵ See these letters in the Appendix—Rapin, vol. ii. 172—to Chapter XIII.



MONUMENT IN WELFORD CHURCH, BERKS, TO ANNE, LADY FORTESCUE,
SECOND WIFE OF SIR ADRIAN FORTESCUE.

5th of November, 1605, for which service he was in 1607 created Lord Knyvett of Esrick.

Lady Fortescue survived until the year 1585, dying on the 5th of January in that year, aged seventy-five years. She was buried in the church of Welford, near Newbury, in Berkshire, where her second son, Thomas Fortescue, erected a handsome alabaster monument to her memory, with this inscription:—

“Anna Gulielmi Rede militis filia, Adriani Fortescu, et postea Thomæ Parry militum uxor, hic sita est. Reliquit ex numerosa prole superstites ex Fortescue filios tres, filias duas; Ex Parrio duos filios, et filiam unam; cæteris immature decedentibus. Ipsa quinto Januarii anno Dñi 1585. R. Elizabethâ regnante.

Thomas Fortescue F. Matri optimæ posuit.”

The monument, when seen by the author in 1866, was in good preservation. It is well represented in the woodcut.

Sir Adrian's children by his first wife were, as we have seen, two daughters, viz., the eldest, Margaret, married to Thomas Wentworth, first Lord Wentworth of Nettlested in Suffolk, so created in 1529. This barony, being inheritable by the heirs general, still exists, and was for some years held by Lady Byron, wife of the celebrated Lord Byron, and now by her grandson, Lord Ockham, eldest son of the Earl of Lovelace, who inherited it in right of his mother Ada Byron, only child of the great poet.

The second daughter, Frances wife of Silken Thomas Fitzgerald tenth Earl of Kildare, left no family. It was her lot to be the wife as well as the daughter of men whose heads fell by the axe as so-called “traitors,” the one because he denied Henry's right to a temporal, the other to a spiritual throne.

Sir Adrian's children by his second wife were John, the eldest son, of whom we shall have much to say; Thomas, Anthony, Mary, and Elizabeth.

Mary married John Norris, Esquire, of Fyfield in Berkshire.¹

Elizabeth married Sir Thomas Bromley, Lord Chancellor of England, who died April 12th, 1587, ancestor by her to the Bromleys Lords Montfort of Horseheath, a title created in 1741. She was buried in the chapel of St. John the Baptist in Westminster Abbey.

Of each of the three sons an account will be given in the following chapters.

¹ Lodge.

APPENDIX TO CHAP. XIII.

A.

The Book of Accounts of Sir Adrian Fortescue, Knight, 10th to 29th of Henry VIII. (A.D. 1518 to A.D. 1538). Preserved in the Record Office, London.

The costes of the beryyng of my lady dame Anne Fortescue A°. R. Rx. H. viij. x^{mo}. 1518, and other expenses done after as within apperith.

A tombe & a lay stone bought at Abendon.

And the costes done at Bysshopis Hatfeld over my fathers tombe & chapell ther.

Costes of the beryyng & done after for the lady Anne Fortescue which dyed the xiiijth day of June A°. D°. 1518 & A°. R. Rx. H. 8^{vi}. 10 then monday at Stonor.

		£	s.	d.
For me & my doughter	Item, for xj yards blak fyne	iiij	xiiij	iiij
Lyvereys.	It. xviiij yardes & iii quarters blake	iiij	xiiij	ix
	It. xxxij yardes blake		cvi	viiij
	It. x yardes di of Blake		xxvj	iiij
	It. ij yardes di blake cotton		v	x
	It. iiiij yardes blak cours cotton		ij	
	It. ij lb. threde & nedylles			xx
	It. Fustian & lynyng	iiiij		ij
	It. For costes to & fro London	iiiij		iiiij
	It. To Janet Andrewe			xx
	It. To Dame Lewen			xx
	It. To Mary Tesdale	iiij		iiiij
	It. To Katherine Blackhall	iiij		iiiij
	It. to Margaret Robynfon	vj		viiij
	It. For iiiij yardes blak for pelyons	vj		viiij
	It. For iiiij yardes blak cotton for fadyllles	ij		
	It. To the taylers of Henley	iiiij		iiiij
	It. to the clerk of Henley			xij
	It. Bryngyng the chyrche gere			viiij
	It. To the clerk of Henley y ^e laft tyme			xij
	Sum ^a	xviiijl.	xs.	iiiijd.
	Item to the chyrch of Henley for hanyng the chyrch stuff		vj	viiij
	It. for the costes of derige & mafs ther		viiij	
	It. to the stone, for the hers lyght yet is for y ^e workynges xiijs. iiijd. & for the waft ix lb. di vjs. iiijd. & for iiiij tapers vj lb. iiijjs. thes y ^e preft had as dewtie to y ^e vykar sum		xxiiij	viiij

Sir Adrian Fortescue.

281

	£	s.	d.
It. to y ^e prestes at Stonor			xiiij
It. for iiij yardes of blak for y ^e hers		x	
It. for vj yardes brode cotton for y ^e wall		iiij	
It. for xij yardes narrow cotton for y ^e rayles		v	
It. for ij ells lynyn for ye hers crose			xx
It. makyng & sewyng y ^e croffe			iiij
It. costes Rydyng & at Pyrton			xvj
It. to y ^e precher of y ^e sermon		x	
Almes dole. { It. in almes dole to beggers		liij	x
a penny a pece vj ^c . xlvj persons			
It. to a preste syngynge ther half a yere		lxvj	viiij
It. to y ^e clerk of the chyrch ther		iiij	iiij
It. for wyne & wax			x
Sum ^a	ixs.	xviij ^d .	
Sum of both fydes xxxviiij ^l . vijs. iiij ^d .			
It. to y ^e bell ringars at y ^e beryyng		ij	ij
It. to Wodhous & other			iiij
It. to ij laborers to dresse for ye kechyn			viiij
It. to y ^e clerk of Shyrburn			iiij
It. to xxiiij torche berers		iiij	
It. to y ^e parisch preft ther			xij
It. to iiij taylors dresflyng y ^e hers		iiij	vj
It. to Ric. Benet for his labor			viiij
It. to y ^e clark of Watlington			vj
It. to y ^e clarkes of Watlington at dirige & masse there			viiij
It. y ^e waft of Shyrburn torches & cariage			xiiij
It. to y ^e clerk & his wife			xij
It. for ye waft of Henley torches		iiij	
It. for waft of torches from Watlyngton		v	
It. for a yard of blak, nayles & takettes & a taylor			xiiij
It. to ye Prestes (xliij) & clerkes (iiij) & childern (xij) to serve & help } masse		xxiiij	iiij
It. for wine & wax		ij	
It. for masse pens thar			xx
It. for y ^e waft of Cupham torches		ij	viiij
It. for vj ryngars at Watlington		ij	ij
It. to y ^e clarke for ye pitt & other besynes at Pirton.			xx
It. a carpenter making y ^e frame about the herse & other work		ij	
It. for ye lay ston in ye chauncell payd to the vykers duputie		vj	viiij
Sum lxviijs. iiij ^d .			

*Family of Salden.**Dener at ye beryyng.*

		£	s.	d.
Dener.	Item. for ij befes & ix mottons		lx	
	It. for vij Lambys than		vj	
	It. for iiij calvys		xij	
	It. for x gefe & ij capons		v	iiij
	It. for xxiiij copill Conys		viiij	
	It. for xv pygges		vij	j
	It. for creme, butter, egges, falt & coles		iiij	iiij
	It. for cuppes and trenchars		v	
	It. for creme difhes and pottes		iiij	
	It. for viij kylderkins bere from Stonor		xij	
	It. a quarter of whete in bred from thens		vj	
	It. to y ^e cokes and helpers &c.		viiij	x
	It. bryngyng kechyn stuff & caryyng it home		ij	
	It. sent thether xx galons wyne		xiiij	iiij
	It. for ale from Watlington		xix	iiij
	It. for bred from thens		xxxvij	iiij
	It. for caryyng & makyng vi lodes wood		iiij	viiij
	It. to ye barbor of Watlyngton for his labor			viiij

Sum xl. xiiis. vjd.

M^d. the number of pore peple ther than as apperith by y^e 1^d. dole }
 before, war in al vi^c xlvj parsons and of other by estymacion . }

ccc & above

Sum^a totalis before writtyn is xliij. ix. jd.

M^d. ye Wickers depute had an ambelyng nagge for ye mortuary after
 ye monethes mynd deliveryd.

The monethes mynd.

	Item. to the wyker of Pirton	ij	
	It. to xlvj prestes ther	xxiiij	
	It. to clarkes & maffe helpars	vij	ij
	It. to Benet for dressing awters		viiij
	It. to y ^e bell ryngars ther	xij	
	It. the maffe pens than ther	iiij	viiij
	It. for the wax of y ^e hers and the waft and y ^e goodly makyng	xx	
	It. at Stonor chapell vj Prestes	iiij	
	It. maffe pens ther		vj
	It. to y ^e clark & pore folk ther		vj
	It. at y ^e Savoy than I beyng ther. at London in al xv maffes that day	v	
		lxxis. vjd.	

Dener.	It. a bolock & x schepe than ther	xlviij	viiij
	It. xi kylderkins of bere from Stonor	xiiij	viiij
	It. xxi dosyn bred from Watlington	xxi	

Sir Adrian Fortescue.

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	£	s.	d.
It. for ij calvys than		vj	viiij
It. for x pygges than		iiij	iiij
It. for x gesse than		iiij	ij
It. for butter to bast mete than			viiij
It. p ^d making & cariage of iij lodes wood			xxij $\frac{1}{2}$
It. in rewardes to iij Cokes		ij	
It. fechyng necessarys			xx
It. for syngyng, wine & wax than		ij	
		vj. vs. viij $\frac{1}{2}$ d.	
		Sum ^a viijl. xvijs. ij $\frac{1}{2}$ d.	

The yeres mynd.	{	Item for the fyrst yeres mynd at Pyrton	xxvj	viiij
		It. for xxxvj (?) sko[ch]yns of armys both in (xij) mettall & xxvij colores grett & large to geve to dyvers chirches in the cuntrey . }	xxxvj	
		Sum ^a tatalis of al this boke before writyn is liiijl. viijs. ij $\frac{1}{2}$ d.		

Anno xj R. Re. H. viij.

The tombe of marble.	{	Item paid to the marbelers of Corff for a tombe of marble like to Sir Robt. Southwells in y ^e cloyster in the Blak Frere at London Anno xj r. rs. H. viij & it is del ^d at London to me	paid full	
		It. p ^d to a marbler in Powles chirch yard for the pictures, writynges & armys gylt after y ^e rate of Sir Thomas of Parres tombe in y ^e Blak Frere ther & to sett yem in y ^e marble as apperith by a bill indentyd A ^o . xiiij ^o R. Re. H. 8.	full p ^d .	lxvj viij
Costes at Bysham.	{	It. gevyn to Pyrton chirch a vestment of blak velvett with thappurtenaunces.		
		It. paid for the caryage of the said tombe to Powles chirch yard to y ^e marbler ther	xij	
		It. paid to the marbelar ther for working a cater over the one end of the tombe	vj	viiij
		Item. paid for the caryage of the said tombe to y ^e barge with the cranage & oyer costes	xviij	
		It. paid for the water carriage of the said tombe to y ^e priory of Bisham in Berkshire	vj	
		It. paid for the dyggyng the pytt ther, the brykkes, the mortar, the workman makyng the warte & the coveryng of it with tymber & ye pavyng and helpyng y ^e marbelar in all	xv	
		It. paid in reward for the setting up & fynyshyng the said tombe & necessarys ther	iiij	iiij
		It. paid to the marbelar of the Black Frere for the tombe lyyng with hym ij yere	iiij	iiij
	{	It. gevyn to y ^e marbelars servaunt for comyng to Stonor	xij	
			ijl. iiij $\frac{1}{2}$ s. vjd.	

Family of Salden.

*Costes in the removynge of my said wyfe's body to Bysham priory in Barkschir the last day of Marche
in the xvijth yer of the reynge of Kyng Harry the VIIIth.*

	£	s.	d.
Item. paid to master prior ther for her laystone yer	lxvj	viiij	
Item. gevyn to hym & his covent for the derige the masse & oyer } befynes }	xxxi	viiij	
It. paid to y ^e vyker of Bysham for the clayme of a mortuary	vj	viiij	
It. paid for makynge of a new coffyn & puttyng the body into it & y ^e } fyrft dyggyng at Pirton none }	ij		
It. for makynge and orderynge the horflytter	iiij		
It. for blak colowryng of it		xx	
It. for xxvi yarges of blak cotton for it & ye hors	xiiij	viiij	
It. the costes lyyng of it at Redyng		viiij	
It. for an ell of lynnyn cloth for y ^e crosse		x	
It. to a taylor orderynge y ^e litter & hors		xx	
It. for vi skochyns of armys, iiij of y ^{em} at Bysham	vj		
It. paid for xij staff torches of wax	xx		
It. paid to vi torche berars all the way	ij		
It. geven to y ^e vyker of Pyrton for his payn	vj	viiij	
It. to v other prestes with y ^e body al the way	viiij	iiij	
It. to y ^e clark of Pirton beryng the crose al y ^e way		viiij	
It. to vij prestes of iij parishes rec ^d . y ^e body by y ^e way	iiij	iiij	
It. to the clarkes of the same parishes		xvj	
It. gevyn to Pirton chirch iijs. iiij ^d . to Tyfeld chirch iijs. iiij ^d . to Marlowe chirche iijs. iiij ^d . to Bisham parishe chirch ijs. for torchwastes & Ryngyngges }	xij		
Item. gevyn to Henley chirche for y ^e crosse and y ^e pall		xx	
It. to ye torche berars for drynkyng homeward		iiij	
It. for men of Henleys drynkyng at Henley		xiiij	
It. for Master Whitton & y ^e prestes drynkyng at Marlowe	ij		
It. gevyn to Thakkanes son for his labor and bryngyng y ^e hors to cary y ^e horflytter }	ij		
It. paid for pavyng agayn the chauncel at Pirton	ij	viiij	
It. for bred & drynk at Pirton chirch fyrft	ij		
It. for iiij kylderkyngs of bere at Tyrfeld	iiij		
It. for viij cast of manchettes		iiij	
It. for xxvj cast of household bred	ij	iiij	
It. for iiij saltfisshes xxd. a lunge xij ^d . stokfisshes xd. one saltfiamond xiiij ^d . iiij salt eles xvjd. l. white herynges xij ^d . xl redd herynges viijd. fresfysch iiij ^s . sum }	xj	viiij	
It. for mustard, salt, & ungeons		iiij	
It. to Sadelar to help the coke		viiij	
It. for makynge clene y ^e vykerage at Tyfeld & y ^e wessel		viiij	
It. for ale ther		j	

Dener

Sir Adrian Fortescue.

285

	£	s.	d.
It. for mete for the ij caryage horfes			iiij
It. for bred & drynk at Byfham priory at y ^e buryall		iiij	iiij
It. for William Thomas coftes at Henley			viiij
Sum of the tombe & of the faid removynge is in all	xxiiij	x	vj
Summa totalis of all the expenfes in this boke writyn confcernyng the buryalles of y ^e fayd dame Anne Fortescues body ys	lxxviiij	xix	v $\frac{1}{2}$

In Auguſte. A^o xxx^o R. Re. H. VIII.

Item paid for my tombe ageyne at the rafyng of Byfham priory, xxs., & paid for the takyng of it down, and for the coftes to the water vjs., & for caryng it to Henley ijs. viijd. & for the image of the trinyte viijd. and for a new ſmall coffyn iiijd. & for my ſervauntes coftes ij days xiijd. & for Ric. Hall his labor in the faid cauſe and bryngyng the coffyn with the bonys to Brightwell chirche iijs. iiijd.	xxxiiij	p ^d .
Item paid to the clerk for makyng the grave by the hye awter ther the xj day of Auguſt	ij	p ^d .
Item paid for the coftes of my cart fetchyng the tombe ij ^o lodes and helpe to lode	xxij	p ^d .
Item my cart caryyng the ij ^o lodes	ij	p ^d .
Item		

In Lent A^o xxix^o R. Re. H. VIII^{vij}.

A marble
Tombe.

Item paid for hole ſquare hye marble tombe, & a nother great lay ſtone bought at the rafyng of Abendon monaſtory chirche, withe the ſydes & ſteppis & appurtenaunces xxs. and paid for the takyng of it downe & caryng of it to the harter ther & for my ſervauntes coftes therabout ij ^o days ixs. vjd. ſumam totalis	xxix	vi
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Expences done & made by me Sir Adrian Fortescue knight in & upon my fathers chapell
in the pariſhe chirche off Bysſhopis Hatfeld in the countie of Hertford.

Fyrſt paid for the tombe of marble bought of the marbelars of Corff, befides xxiijs. iiijd. paid by my brother ſum paid by me	iiij	x
Item, paid for the images & armys and ye wrytyng thereto	xx	
Item paid for wrytyng of the indenture and drawyng of the armys	xx	
Item paid for cariage of the tombe to Hatfeld	x	
Item paid for the marbelars coftes to ſett it ther	iiij	iiij
Item for ij gret candleſtykes for the awter	iiij	
Item, for ij papis of bone & glaſſe	ij	iiij
Item paid for ij ^o tynne crewettes	viiij	
Item paid for a tabill of the cruſyfyx	xx	
Item. paid for the tabill of the Oracion	xx	
Item for a veſtment with the appurtenaunces of red chamlet	xxxiiij	iiij

Family of Salden.

	£	s.	d.
Item paid for ij ^o gret formes & the cariage thether		iiij	
Item for ij towels for the prestes handes			viiij
Item paid for the making of the gret dore & the tymber & all the iron work to it	xl		
Item paid for mendyng of the glasse the leade y ^e pavyng iijs. iiij <i>d.</i> & for the locke iijs. iiij <i>d.</i>	vj		viiij
Item paid for caryng of y ^e faid ij ^o gret dore			xvi
	xl. xvjd.		

Item paid for a gret tabernacle for the awter bought at Cales in the warr tyme	xx		
Item for cariage of it to London	vj		viiij
Item for cariage of it from schip to Strond			xx
Item for cariage of it to Hatfeld	v		
Item for settyng & mendyng ye tabernacle	viiij		
Item paid for iiij gret formys moo	vj		v
Item for Sir Humfrey the prestes coftes to come to me to London	iiij		iiij
Item sent thether at Mighelmas A ^o xviiij R. Re. H. VIII ^{vi} . a new awter clothe & ij curteyns of red & grene Frenche say lynyd with bokeram & frengid, price in all	xj		
Item. paid than for mendyng the glasse wyndows			x
Item paid for mendyng & orderyng the awter clothe of damaske			xij
Item paid for iij yarges & di of blewe bokeram to cover the awter			xviij $\frac{1}{2}$
Item for Sir Humfreys coftes to come to me			xx
Item for the knelyng bordes & settyng & orderyng of the curteyns irons			xij
Item sent thether at Whitfontyde A ^o xx R. Re. H. VIII. ij lynnyn awter clothes & a lynnyn corporas after the robbyng of the chirch price	vij		vj
	lxxvs. vj $\frac{1}{2}$ <i>d.</i>		
	Summa totalis paid by me xiiij <i>l.</i> xvjs. x $\frac{1}{2}$ <i>d.</i>		

Termino Hill^e. A^o. xxv^o. R. Re. H. VIII. Sir A. Fortescue Knight.

Item brought in my purs from Schirburn the xxiiij day of January	xxij	vj	viiij
Item rec ^d of Harry Rowley in full payment	vj	xiiij	iiij
Item rec ^d of John Ford for y ^e Cristmas rent of my londes in Devon	vi	xiiij	iiij
Item rec ^d of Harry Rowley for coftes in the accions		x	
Item Sum	xxxvj <i>l.</i> iijs. iiij <i>d.</i>		

Coftes.

Item paid for caryng my greyhoundes to Schirburn			iiij
Item p ^d for all Maister Chamberleyns coftes and myn at Colbrok		iiij	x
Item p ^d for my soper and coftes that night		ij	

	£	s.	d.
Item p ^d for a torche lynk than			vi
Item delivered to Robyn for my horse costes and his home			ix
Item p ^d for my horse costes in all now		v	iiij
Item p ^d for a male pilion viij <i>d.</i> & for ij colers p ^d <i>xd.</i>			xviiij
Item p ^d for Thome his costes home			vj
Item p ^d for ij. pfalters xviiij <i>d.</i> & for ynk $\frac{1}{2}$			xviiij $\frac{1}{2}$
Item p ^d for a lityll pistill			ij
Item p ^d for bote hyer to Wednesfday			xij
Item gevyn in reward to J. Coke for presentes			xx
Sum		xxs.	i $\frac{1}{2}$ <i>d.</i>

	s.	d.			
Lent stuff.	{	Item p ^d for a berell & $\frac{1}{2}$ of white herynges	xxiiij	}	iiij ix ij
		Item p ^d for a cade of redherynges	vij		
		Item p ^d for iiij cades of sprottes	iiij		
		Item p ^d for xx copil of betyn stokfisches	viiij		
		Item p ^d for vj salmondes	x		
		Item p ^d for xl falte eles	xiiij		
		Item p ^d for $\frac{1}{2}$ a barell to put yem in	vj		
		Item p ^d for ij baskettes & cord	x		
		Item p ^d for an ell of canvas	iiij		
		Item p ^d for the wharfage & water bayly	iiij		
		Item p ^d for ij ropis of gret onyons			x
		Item p ^d for C. oraynges <i>xd.</i> & for xxiiij swete orayges viij <i>d.</i>			xviiij
		Item p ^d for a pece of fyges dodes contain ^e xxx lb. ijs. vjd. & for xxx lb. of reysons ijs. vjd. & for x lb. almondes, ijs. vjd. & for vi lb. sugar, ijs. iiij <i>d.</i> vj lb. prunys vid. a baskett and lyne iiij <i>d.</i>			xj viij
wyne.		Item p ^d for ij hogeshedes of claret wyne ls. & costes viij <i>d.</i>		l	viiij
		Item p ^d for my soper & costes at my lodgynges to Fryday		iiij	
lyverey.	{	Item p ^d for iiij yardes of lyverey price		xiiij	
		Item gevyn to Thomas for the lynyng		iiij	
		Item p ^d for a yard of tawny fay			xij
schyrtes.	{	Item p ^d for ix elles and $\frac{1}{4}$ of holond for ij schyrtes & ij kerchers price per ell xv <i>d.</i>		xiiij	
		Item p ^d for half an elle of fyne holonde cloth for schyrt bandes xvjd.			xvj
		Item p ^d for mending the glase wyndowes in y ^e parler at London			xvj
		Item p ^d for bote hyer to Sonday Candilmas evyn		ij	
		Item gevyn to Andrewys underschryf of Oxon & Berks		iiij	viiij
		Item p ^d in thescheker for respect of homage in Oxon		viiij	viiij
		Item p ^d for writyng a bill of new to the Kynge for Sowthwales			xvj
		Item p ^d for v small English bokes			ix
		Item p ^d for a large matens boke for myself			xvj
		Item p ^d for costes at my lodgynges to Candilmas day			xij

Family of Salden.

	£	s.	d.
Item gevyn to the gromys in y ^e Kynges chamber			xij
Skavage. Item p ^d to the skaveger for this quarter endyd at Criftmas			iiij
Sum	xl.	viijs.	ijd.
Item p ^d for bote hyer to Wednesfday			xviiij
Item p ^d for a torche lynk on Teuyfday at night			vj
Item p ^d for x qwayres of fyne paper $\frac{1}{2}$ a reme			xvij
Item p ^d for vj elles of bokeram iijs. & for j ell holond xvjd.	iiij		iiij
Item p ^d for vi sawfers, ij dishes & a plate weyyng ix lb. & $\frac{1}{2}$ price the lb. iiij $\frac{3}{4}$ d. sum	iiij		viiij
Item p ^d for a yard & $\frac{1}{2}$ blak for my hofyn	iiij		
Item for an ell of bokeram for my bote hofyn			vij
Item p ^d for makyng of them both			xx
Item p ^d for mendyng my cap cafe			iiij
Item for mendyng the lokes ijd. & for iiij rubbers id.			iiij
Item for wyne & coftes at my lodgyng for my brother			xiiiij
Item p ^d for wyne & oraynge pyys sent to Doct ^r Cokkes on Friday	ij		iiij
Item sent thether on Saturday at night Ipocras wafers	iiij		
Item p ^d to Mr. Knighton for coftes in the lawe this terme by bill			vj
Item gevyn to M ^r . Porters clerk to remember Hunteleys release			xx
Item p ^d to Bassett for the Ni p ^r against Pope & coftes	x		
Item p ^d for new sealyng the write of extent ayenst Sir E. Chamberleyn			viiij
Item p ^d for wrytyng thanfwer in parchment to Ranfey			xvj
Item p ^d for a torche lynk on Saturday			vj
Item p ^d for coftes at my lodgyng to Sondag			xij
Item p ^d for a bonet of velvet for my wife price		xxiiiij	
Item p ^d for ij yard of fyne holond for my wifes crefomes & necessarys	iiij	x	
Item p ^d to John Skute for makyng my wifes fay gown & lynyng the playtes & making & lynyng a pair of faten slevis & makyng a faten patelette in all		vj	
Item p ^d for ix red horsharnefs & one blak	xxvj		viiij
Item p ^d to my schomaker in all this terme	vij		viiij
Item p ^d for a fylk gyrdyll for me			xx
Item p ^d for a galon of wyne sent to my wyfe			viiij
Item gevyn to Dolphyn for bryngyng & caryyng gere			viiij
Sum	cxviijs.		
Item p ^d for fyllyng the ynk botell			iiij
Item p ^d for ij stone crewfys for my lodgynges			viiij
Item p ^d for bote hyer to Fryday			xij
Item gevyn to Edmund the pedeler in charite			xx
Item p ^d for bote hyer on Sondag			vj

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	£	s.	d.
Wages			
Item p ^d for costes in the counter of Robyn horskeper		ij	iiij
Item lent to Frognal		v	
Item for vurnishyng of a pair of styropes, a pair of styrope lethers & one yard of canvas for a duftyng cloth in all			x
Item p ^d for vurnyschyng & letheryng my spores			iiij
Item p ^d for mendyng & settyng the flower with y ^e iiij perles			xviiij
Item p ^d to the freres in the covent place			iiij
Item p ^d for costes at my lodgyng to y ^e last Saturday			iiij
Item p ^d to Days wife for washyng my shirtes			vj
Item p ^d for hir quarters wages		v	
Item p ^d for ij botelles (xiiij.) of galons letherid & the wyne viiij. of one			xx
Item p ^d for a lost botell of a galon to Th. Spencer			iiij
Item p ^d for ij lb. of sugarc to cary with me			xiiij
Item p ^d for the costes of me & iiij servautes at London xx days	iiij		
Item p ^d for my horses & my cosyn Lewys Fortescus at my inn		vij	
Item p ^d for the hyryng of horses for my parte home		ij	iiij
Item p ^d for ij elles of lynnyn xviiij. ij ounces lasyng rebend, ijs. iiij. one ounz flat rebend xvj. a quartern of threde vjd. fum		v	vij
Item del ^d Ric. Bishop for the costes of the accions, for Roben horskeper		v	
Item p ^d for my costes at Colbrok homeward		iiij	
Item p ^d for caryng the males to strond			viiij
Item			
Sum	vjl.	vijs.	iiijd.
totalis	xxiiijl.	xiijs.	vij½d.
gaynid at play	vijl.	iijs.	iiij½d.

Item brought home & lent in all xixl. xiijs.

expences at Oxford at y ^e Affice	Item expences at my lodgyng at Oxford at the affice in all as apperid by a bill of the parcells	lxviiij	xj
	Item for puttyng in the Ni p ^r . ayenst Pope ther	x	
	Item my attorneys fee ther xxd. to y ^e fryers & cryar viijd.	ij	iiij
	Item to the underschrieff for returnyng ij writtes & of Ni p ^r	iiij	
	Item a waraunt (iiijd.) into Berkschire & drynkyng at Whateley (iiijd.)		viiij
	Item in retaynyng of M ^r . Holt vjs. viijd. & my cosyn lewys Fortescu his costes vijs. vjd. & Rafe Vyne his costes iiijjs. viijd.	xviiij	x
	Item caryng the hacney horses to London		
	Item gebyn to W. Dyker for kepyng the parke iiij days		viiij
	Item p ^d to Gyllam for mendyng gere at Candilmas		xx
	Item p ^d for schoyng my horses at Candilmas		xiiij
	Item p ^d for my horses costes & servaunt to London for me at Saynt Valentynes day		

Family of Salden.

		£	s.	d.
	Item gevyn to M ^r . Schryffes fervaunt at Stonor the xxviii day of Marche			viii
	Item spent that day at Watlyngton			v
	Item gevyn for caryng letters & a male to London			x
	Item p ^d for schoyng my horfes the second day of Marche			xviii
	Item my expences at London & thether and home on Thoresday	xv		x
	Item p ^d for a new sword gyrdil of velvet blak	v		viii
	Item p ^d for a kniff (ij <i>d</i> .) & mendyng my gyrdill (jd.)			ii
	Item p ^d for a subpcena for John Hunteley Esq.	ij		v
costes yn to Glouceter- shire	{ Item my costes into Glouceterschire that is to say vj fervauntes & myself at Abenden at Dener the xx day of marche iiij <i>s</i> . xjd., & at Faryngdon Fryday at night iiij <i>s</i> . vij <i>d</i> ., at Tyrftyter ¹ at dener at Saturday iiij <i>s</i> . vjd., costes at Tetbury & horfbred to Lasbarowe i <i>s</i> . iiij <i>d</i> ., rewardes at Bradeston i <i>s</i> . xd. costes home ward at Fayerford on our Lady day at night iiij <i>s</i> . vij <i>½d</i> . at Faryngdon our Lady day at maffe xvij <i>d</i> . at Abendon, at dener i <i>s</i> . xj <i>½d</i> . Item Ric. costes vij <i>d</i> . & caryng the iiij lampery pastyys xxd. sum totalis	xxx		vj p ^d
	Mem ^m . Saturday at night & Sondag al day I lay at Bradeston Where the farmor & warden with other with presentes paid for al my costes which by boke coste the farmor xs. ix <i>d</i> . and the warden xxix <i>s</i> . ij <i>d</i> . and at Lasbarowe I was Monday & Teuyday at dener at M ^r . Nic. Wykes coste			
Rewardes	{ Item gevyn in reward at Lasbarowe the xxiiij of Marche to John Boughton & W. Cokkes of Burton for comyng to me to vyewe my xv ^c schepe at my receipt of them of M ^r . Nic. Wike			v
	{ Item gevyn than to M ^r . Matfons clerk for wrytyng the new indenture & other thynges betwene me & M ^r . Wyke	v		iiij
	{ Item gevyn to Ryc. Fordes wyffe at my seeyng my yong son	iiij		viii
<i>Costes to and at London in Passiō weke.</i>				
	Item gevyn to Swalowe the kynges mesenger bryngyng M ^r . Cromwelles letters to me to come to the kynges grace	ii		iiij
	Item my costes in all to London the xxvj day marche & ther tyll monday the morowe after Palmesonday that is fyve in all ont	xxviii		p ^d
	Item del ^d than to Thomas Spencer in full payment for a hogeshede of redwyne xxvs. & for the costes to the barge xij <i>d</i>	xxvj		p ^d
	Item p ^d for schoyng of my horfes into Glouceterschire			xvi
	Item p ^d to Gyllam for work before & than	ij		
	Item p ^d for $\frac{1}{2}$ a bush ^l . of malte for my horfes			v

¹ This must be an error for "Cyrftyter," i.e., Cirencester.

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		£	s.	d.
houfe- rentes	{ Item sent by Elyn Day to Ric. Bysshop to pay my house rente at			
	London due at this Ester	xvj	viiij	
	Item p ^d for ij lether bagges for my ij fylk jakettes		iiij	
	Item p ^d for a pynt & $\frac{1}{2}$ a pynt wyne pottes		xv	
	Item p ^d for ij dosyn fylk poyntz xij <i>d.</i> a tewke bage xiiij <i>d.</i> a yard & $\frac{1}{2}$			
	of tawney fay xvij <i>d.</i> , ij yardes quart ^r . fustyan for dobelet lynynges	iiiij	viiij	
	xiiij <i>d.</i>			
	Item p ^d for a yard of blake bokeram for bagges for my cotes		v	
	Item gevyn to Fordes wyfe the viij day of Apréll in reward at Schir-			
	burn	iiij	viiij	
Rewardes	Item to William Thomas wife & hir mayde		vj	
	{ Item spent at Affenden at Hoktyde court	iiij	iiiij	
	Item gevyn to the wifes of Salley and Pyshull		viiij	
	Item gevyn to the wyfes of Pirton for the chirche	iiiij	viiij	
	Item gevyn to the wyfes of Schirburn for the chirche			
	Item p ^d for caryyng my coffer to Henley		iiiij	
	Item p ^d for schoyng of my horses at Hocktyde	ij	iiiij $\frac{1}{2}$	

Termino Pasche A. xxvj^{to}. R. Re. H. viijth. Sir A. Fortescu Knt.

Item brought in my purs from Schirburn the xxix day of Aprell	{	xliiij ix	iiiij
in money in all			
Item rec ^d of John Ford for Devonshire rent now	vij	vj	viiij
Item rec ^d from my wife the xij day of May in a letter		lxvij	ij
Item borowyd of Wm. Dauntefey mercer wherin lost in all viij <i>l.</i> xix <i>s.</i>	{	l	
iiiij <i>d.</i> with xs. to the broker & ix <i>s.</i> iiiij <i>d.</i> p ^d . for y ^e statute & the			
defesuant sum to be borowyd of the said William			
Item rec ^d of my Lord Wentworth for the Ester rente of my londes	{	xxj	
in Suff. & Essex by a bill del ^d to Barker			
Item rec ^d of the Archebishop of Caunterbures executors in parte of	{	xxxiiij vj	viiij
payment of c. marks agreed			
as aperith by acquitaunce indentyd dated xx ^o die maij			
A ^o . xxvj ^{to} . R. R. H. viij.			

Costes.

Item p ^d for my dener & others at Colbroke than	iiij	iiiij
Item bote hyer to my lodgyng that night		ij
Item my loper that night & costes to Sondag at my lodgyng		xx
Item costes of my horses & the horskeper ij ^o days	iiij	x
Item gevyn to ij of the Kynges mesangers with letters	ij	viiij
Item the horskepers costes home		v

		£	s.	d.
	Item del ^d to Th. Honychirche for his full Ester wages	v		
	Item p ^d for writyng my parte of Lafbarowe indentures	vj		viiij
	Item p ^d for ij swath bandes xij <i>d.</i> ij½ <i>lb.</i> white sope vij <i>d.</i> iiij <i>lb.</i> com- felles ijs. iiij <i>d.</i> sum	iiij		xj
	Item bote hyer to Sonday			xij
	Item gevyn to M ^r . Brown & M ^r . Chenley & Sir H. Wyngfeld xxs. & to Bradshawe xs. & to M ^r . Baldwyn vs. for a drauyng & de- vyfyng of the answer to Sir Walter Stonors articles	xxxv		
	Item p ^d for writyng the answer to the Articles of Stonor	ij		
	Item p ^d for the copley of the same articles			xx
	Item for bote hyer to Thoresday			xviiij
	Item gevyn to the proceffar to stay all the accions	v		
Rewards	{ Item gevyn to sewer of the Kynges processe to stay pro- cesse in fewte ayenst me as fewertee for the old Lord Cobham tyl the matter be tryyd between the Kyng & the Lady Cobham late wife to the said old lord in reward }	lxvj		viiij
	Item gevyn to the secundary of the counter for dischargyng his boke	vj		viiij
	Item p ^d for iiij pair of smal schone for my lityl son John & Mary			xj
	Item p ^d for certeyn oyntmentes & a powder for my wyfe	ij		
	Item sent to my wyfe a fresch gret conger (ijs. <i>xd.</i>) & ij soles (viiij <i>d.</i>)	iiij		vj
	Item gevyn to Robyn to carye yt home			iiij
tythes	{ Item p ^d to the parson for the tythe of my hous rent at London after xj <i>d.</i> of the nobill of xl. xvjs. viij <i>d.</i> old rentes & due for one yere at Ester A ^o . xxv ^{to} . R. Re. H. viij ^{vi} . sum }	vj		v p ^d
Skavage	Item p ^d than to the skaveger for this quarter			iiij
	Item p ^d for a boke of the actes of parlement A ^o . xxv ^{to}			x
	Item p ^d for my horskepers costes in all xvd. & the horses costes xij <i>d.</i> } & for schoyng vd. sum }	ij		viiij
	Item p ^d for bote hyer to Grenewich on Sonday the x day of May	ij		
	Item p ^d for bote hyer at London to Ascension day	ij		vj
	Item p ^d for writyng a new obligation betwen Sir Walter Stonor & me			x
[Upon a small slip enclosed.]	{ delyvd to Wylliam { Klarke joiner or Klarke sonn } of Henle vij heseke ches betwyet harff a waye ij lb. tal vij cheses at p ^r . xs. [endorfed] vij cheses. }			
Nevyle	{ Item p ^d to Will. Nevyle Esq. in full paymentes for the purchase of the manor of Lafbarowe in Glouc. in the presence of my Lord Chaun- celer as aperith on my indenture indosyd & sygnid the sum of . . . }	l		
loffes	{ Item lost in the schiffte with Will. Dauntesey mercer in the sum of £1. in wares with xs. to the broker & ixs. iiij <i>d.</i> for the statute & the defesuant sum total lost }	viiij	ix	iiij
bay falt	Item gevyn to Dolfyn for bryngyng & caryyng letters			vj

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£ s. d.

Item p^d for xiiij busshelles of salt vs. xj^½ & for a but to put it in
xiiij^d. & to the porters iiij^d. & to the cowpers iiij^d. & cariage } viij v^½
to Quene hithe viij^d. fum }

Item p^d for cc. bere hoppis xviijs. & for xij kylderkyns vs. and vj
barells iiijjs. vjd. & iij bondell of hopis xiiij^d. & for ¹/₂ a way of } xl ix
chefe xs. ijd. vij chefes & for xij bondelles of rusfhys ijs. fum^a . }

Item p^d for ij yardes of blak fay ij viij

Item p^d for vj yardes crane color fustyan iiij

Item p^d for iiij elles of lynnyn cloth iiij

Item p^d for a pair of rydyng glovys ij

Item p^d for

payment of
a fee

Item p^d to John Ramsey by the arbyterments & order of M^r. Sul-
yard of the Kynges graces counsell for the full arrerages of the
fee & patent of Edmund Ramsey graunted by Sir Will. Stonor &
his feoffees & the said patent is delyveryd to me & cancelid, and
also I the said Sir Adrian have a generall acquitaunce of the
same John of & for all causes—fum paid in redy money . } lxxv viij

Item p^d for costes at my lodgyng ascencion day xvij

Item p^d for bote hyer to Grenewych on ascencion day ij

Item p^d ij new tewke b my self ij viij

Item p^d for bote hyer to Grenewych on Fryday ij

Item p^d for bote hyer to Grenewich on Sunday ij

Item p^d for costes at my lodgyng to Wednesday viij p^d

The
shomaker

Item p^d to my schomaker for all except my botes v viij p^d

Item p^d Water Wilcokkes in partie of payment of lxs. xx

Item p^d to the Kynges attorneys clerk for writyng the Kynges award x

Item p^d for my apparaunce to privy seale iijs. & and for a
privy seal for my old lady Cobham xs. viij^d. ret^d craftino } xiiij viij
Johannis }

Item p^d my bote hyer at London to Wednesday xij

Item bote hyer to the Serjauntes inn dyvers tymys iiij

Item p^d for my hose cloth iiijjs. & for the makyng xvjd. v iiij

Item p^d a bonet for me & one for Aufteyn v

Item gevyn for writyng the acquitaunce indentyd between the arche-
bishop of Caunterbures executores & me for the receyte of L. } xvj
mikes parcel of c. markes }

Item p^d for vurnisshyng my spores & paid of styropis x

Item p^d for ij fyne brofhys viij

Item p^d for costes & neceffarys at odgyng xiiij

Item gevyn to M^r. Baldwyn for his advyse opis mater iiij iiij

Item my costes & my ij fervauntes at London iiij viij

Family of Salden.

	£	s.	d.
Item p ^d to Knighton for coftes in the la ys Ester terme by bill	v		v
Item p ^d for ij yardes $\frac{1}{2}$ for Aufteyns	x		x
Item p ^d to Days wife for hir ages	v		
Item p ^d for a book xij <i>d.</i> gevyn to yar iiij <i>d.</i>			xvj
Item p ^d for washyng my shirte			vj
Item p ^d for my horscoftes & Wyl in all	v		
Item p ^d for beryng the male to			iiij
Item p ^d for my coftes at Colbrok he xxij day of May	ii		ix

Endorsed { A. Fortescue knt.
Coftes in Hillary terme A^o. xxv^{to} R. Rs. H. viij.
Ester terme Anno xxvj^{to} R. Rs. H. viii^{vi}.

Termino Trin. A^o xxvj^{to} R. Re. H. viij.—Sir A. Fortescue kt.

Item brought in my purs from Schirburn the ix th day of June	xxvij	iiij	ix
Item rec ^d of John Ford for my mydfumer rent of my londres in Devon	vj	xiiij	iiij
Item rec ^d of the executors of my lord of Caunterbury deceffid restes of a c. markes in full payement for all duetes.	xxxiiij	vj	viiij

Coftes.

	Item p ^d for my dener at Colbroke that ix th day		xxj
	Item p ^d for bote hyer to my lodgyng		i
	Item del ^d to my horskeper for coftes of hym & y ^e horses home		ix
	Item del ^d to hym for his quarter wages endyd this Whitfontyde	vij	vj
	Item p ^d for a sugar lofe weyyng viij lb.	iiij	iiij
	Item p ^d for coftes at my lodgyng the first night		xiiij
	Item p ^d for ij newe penne kniffes		iiij
	Item p ^d for		
	Item p ^d for ij yardes of fryfadoo for my scleveles cote	v	iiij
	Item p ^d for a quartern of bokeram for the poketts for yt		ij
	Item p ^d for makyng of the cote & pokettes		xij
<i>intratur.</i> <i>Nayles.</i>	{ Item p ^d for iiij m. fivepenny nayles, vijs. iiij m. fourpenny nayles, vs. vj m. ruffnayles, iijs. vjd. vj m. sprige nayles ijs. vjd. ijc $\frac{1}{2}$ tenpenny nayles xij <i>d.</i> , iiij. c. small hoke nayles vjd. ijc. byger hoknayles viij <i>d.</i> ij trays for mortar viij <i>d.</i> iiij pair of jemewys and c. small nayles viij <i>d.</i>	xxj	
<i>The seale of</i> <i>the Kynges</i> <i>arr</i>	{ Item p ^d for the seale of the Kynges arbitrement between me & Sir Walter Stonor	xx	iiij
	Item p ^d for vj cheselles & a small sawe price of all		xvj
	Item p ^d for a scheth for my long kniff & for new dresflyng and vurnishyng the kniffe		xvj

		£.	s.	d.
intratur	Item p ^d for xij brown gyrthes		iiij	
	Item p ^d for a new byt with boces		vj	
	Item p ^d for mendyng the pyn of the bell			vj
	Item p ^d for vj lb. of tyn for to glafe withall		ij	ij
	Item p ^d for a whelebarowe			xix
	Item p ^d for costes at my lodgyng to my rydyng home on Sunday the xxj day of June		iiij	
	Item p ^d for costes at my inne than of my horfes		iiij	
	Item p ^d for my costes at Clbrok that Sunday homeward		ij	viiij
	Item p ^d for my horfes schoyng iiij tymys			xxiiij
	Item p ^d to W. Dyker kepyng the parke xxi days		iiij	viiij
	Item p ^d for my horskepers costes with my horfes to London			ix
	Item p ^d to Th. Honychirch at Shirburn for mydsomer quarter wages	x		
	Item p ^d to Dolphyn for caryng a of Awfteyns gere			iiij
	Item to Gyllam for mendyng the childrens apperell			xviiij
	Item p ^d for my costes at Colbroke the iiij ^d day of July		ij	viiij
payments	Item del ^d to Thome for my horfes costes home			ix
	Item p ^d for bote hyer to my lodgyng			ij
	Item p ^d to Will ^m Broun mercer in full payment & y ^e statute delyveryd	xxi		
	Item p ^d to Roger Yong gent. for Brightwel rent due at Ester last		xx	ix
	Item p ^d for a yard & $\frac{1}{2}$ for iiij pair of hofyn for my wife		iiij	vj
	Item p ^d for makyng of them			xij
	Item p ^d for a yard & $\frac{1}{2}$ for my hofyn		iiij	
	Item p ^d for the makyng of them			xij
	Item p ^d to Hawclif for parte of this quarters wages		v	
	Item p ^d for viij $\frac{1}{2}$ lb. sugar iiij s. ij lb. peper iiij s. viij d. iiij lb. corantes x d.		viiij	vj
	Item p ^d for xviiij galons iiij quartes wyne sek y ^e g. x d.		xv	viiij $\frac{1}{2}$
	Item p ^d for xj galons & i pote malmesey y ^e g. x d.		xij	xj
	Item p ^d for canvas to stuffe them in & caryage			xiiij $\frac{1}{2}$
	Item p ^d			
	Item gevyn to Dolphyn for bryngyng a buk			xx
rewards.	Item p ^d for caryng for a letter to my wyfe in haste			viiij
	Item p ^d for $\frac{1}{2}$ lb. of blake threde			viiij
	Item p ^d for ij small latyfes			ix
	Item p ^d for a chest to truffle glasse & other stuff			vij
	Item p ^d for iiijc. white nayles for dores			xxij
	Item p ^d for costes at my lodgyng to Fryday			xvi
	Item p ^d for botehyer at this my last being at London		ij	
	Item p ^d for schoyng my horfes & ther costes to London			xx
	Item gevyn to M ^r . Chaunceleres servaunt D ^r . Cokkes servauntes to make mery		iiij	viiij
	Item p ^d for writyng the ij acquitaunces & releases		ij	
	Item gevyn to M ^r . Doctor Cokkes porter			iiij

		£	s.	d.
wood.	{ Item p ^d to Ric. Bysshop for makyng my blak gownd, ijs. & for makyng my rydyng cote ijs. }	iiiij		
	{ Item del ^d to Ric. Byschope to pay for my wood cariage, that is to say x lodes water cariage, xjs. viij ^d . & viij lodes cariage to my home ijs. befydes ij lodes of billetes gev to hym . . . }	xiiij	viiij	
	{ Item del ^d to Elyn Day to bye cc. fagottes }	vj		
houferent.	{ Item p ^d to hyr for this quarter wages }	v		
	{ Item del ^d to Ric. Bysshop for my house rent for this mydsomer quarter }	xvj	viiij	
	Item p ^d to the skaveger for this quarter		iiiij	
coftes	Item p ^d for caryng my stuff to barge		iiiij	
	Item p ^d for xij bondells of rusfhys		xx	
	Item p ^d for caryng my male to my inne		iiiij	
	Item p ^d for coftes at my inne of my horses	iiij	vj	
	{ Item p ^d for my coftes at Colbroke homeward the xj day of Julii & schoyng }	ij	vj	
	{ Item p ^d for my coftes and my ii servauntes at London at thes ij tymys by the space of xviiij days }	lxxij		
	Item W. Tesdales coftes with me ther xj days	v	vj	
	Item p ^d for mendyng the bare hyde		xij	
	Item p ^d for schoyng my horses at Saynt Jamys tyde	xij	x	
	Item p ^d for my coftes at the affice than at Oxford	xj	xj	
	Item gevyn to the fryers and cryar ther		viiij	
	Item p ^d to the underfhryff for Ambrose Pope	vj		
	Item p ^d for withdrawing the exigent	ij		
	Item p ^d to Dyker for kepyng the parke iiij dayes		viiij	
	Item spent at Affenden at dener		xx	
	Item gevyn to the ij norfes		viiij	
	Item p ^d for a yard of blak faten for my dobelet	vij	iiiij	
	Item p ^d for a bonet for Thomas Fortescu	ij	viiij	
	Item p ^d for cariage of a letter to London by Dolphyn		iiiij	
Receyts	Item p ^d to Gyllam for mendyng of gere	iiij		
	Item gevyne to Edmund Schirwood in reward	ij		
	Item p ^d for laces for the maydyns		iiiij	
	Mem.—Here I was commytted to the Knight Marshalls ward at Wodstoke.			
	Mem. in my purs in money from Schyrburn the xxix day of August A°. xxvj ¹⁰ R. Rs. H. viii. }	xj	vj	x
	Mem. receyvyd from John Haywood by Rob ^t . caryar the xxij day of Sept. A°. xxvj ¹⁰ R. Rs. H. viii. }	lxvj	viiij	
			without bill.	
	Item rec ^d of my wiffe at London the iiij day of October	lxvj	viiij	
intratur				
rekenid				

Sir Adrian Fortescue.

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	£	s.	d.
Mem. I receyvyd of Anthony Fortescu by the handes of Lewys Fortescu gent. tenne powndes to the use of Awfsteyn Rede other wyse callid Aufteyn Fortescu due to the said Aufteyn for one hole yeres annuyte out of the parsonage of Ermyngton in Devonfhire endyng at the annunciacion of our Lady last past by my bil fygnid & sealid datyd the xij day of October A ^o xxvj R. Rs. H. viii.	x		
Rec ^d of John Ford in full payment of my londes in Devon for this yere now endyd the v day of November by acquittaunce del ^d	xiiij	ij	x
Item rec ^d of Cokkes of Burton in full payment			
Item rec ^d of Lafbarowe rent & Bradstone rent at the accompt			
	xjl. vjs. xd.; rec. lxxvjs. viijd.		

The costes of me Sir Adrian Fortescu knight from my commyttyng to the Marschalles ward at Wadstok the Saturday beyng the xxix day of August A^o xxvj^o. R. Rs. H. viij.

	Item first paid for horsfchoyng at Watlyngton	xviiij	
	Item p ^d for my servautes dener & horsmete at Woodstok y ^t day	xvj	
	Item gevyn for hous rome at Sygewykes to schiffte me y ^{en}	xij	
	Item gevyn to Vaughan the grome of the Kynges chamber, that came to me to Schirburn	v	
	Item p ^d for my costes at Thame that Saturday at night	viiij	
	Item p ^d to a man that was sent to fetch me ageyn back to Woodstok & to Sir Tho. Wentworthes servaunt	vj	viiij
	Item gevyn to Segewykes wife ageyn for rome at Wodstok		viiij
	Item for my servautes costes & hors mete ther than	ij	
	Item p ^d for my costes at Thame on Sonday at night	ix	
	Item gevyn to the preste to say masse ij days at my inne		xvj
	Item gevyn by my wife to Sir Thomas Wentworths servaunt Ric.		xx
	Item pd. for my costes at Uxbridge on Monday at night	iiij	
	Item p ^d for bote hyer to my lodgyng & Southwark	v	
	Item p ^d for trussyng cord for to trusse my beddes	vj	
Tewysday	Item p ^d for caryng my gere over by bote	vj	
the first day	Item p ^d for my dener at my lodgyng in London	xij	
of Sep-	Item p ^d for a qrte of wyne on Wednesday at dener	ij	
tember	Item p ^d than for x fagottes iiijd. for ij lb candilles iiijd.	vij	
	Item p ^d for bote hyer of my servautes in to London & ageyn	j	
	Item p ^d for I. Hawcliffe's costes to Wykm & so to London	xxiiij	
	Item gevyn for caryng a letter to y ^e Warden of Bradestone	ij	
	Item p ^d for wyne on Saturday at night & peres and bere	vj	
	Item p ^d for wyne on Sonday & peres	xvj	
	Item gevyn to Robyn for bryngyng venyson & a fardell	xvj	

Family of Salden.

	£	s.	d.
Item del ^d to Sir Tho. Wentworth for to be reckonid in my charges & fees the ix day of Sept. }	xl		
Item p ^d for my soper on Thoresday with M ^r . Whitton	ij	vij	
Item p ^d for ij lb candilles on Friday for my chambr			ij½
Item p ^d for bote hyer of me & my servautes on Thoresday			iiij
Item p ^d for wyne & nottes on Sunday and holy rede day in all with parte therof gebyn to M ^r . prior at my ij sopers with hym than Sum iiijl. xvs. viij½d.	ij		
Item del ^d to Ric. Wentworth, servaunt to Sir T. Wentworth, k ^t the xv day of September to be rekenyd in my charges }	xx		
Item p ^d for xx faggottes on Wednesday & the cariage			x
Item p ^d for wyne & peres on Fryday for M ^r . Spencer & his wife & oyers }			xij
Item del ^d to Ric. Wentworth servaunt to Sir Th. Wentworth k ^t . the xxj day of Sept. to be rekenyd in my charges }	xx		
Item p ^d to Rob. caryar for bryngyng letters from my wyfe			viiij
Item p ^d for wyne & peres to Thoresday			viiij
Item p ^d for candilles on Thoresday			i½
Item p ^d for c.c. of bylletes xviiijd. xxv fagottes xd. & the bote caryage & bryngyng up iiijd. }	ij	vij	
Item p ^d for my bote hyer iiijd. & for wyne to Monday viijd.			xj
Item gebyn to M ^r . Piores porter to see the next house			iiij
Item p ^d for candilles & botehyer on Mighelmas day			iiij
Item gebyn to Dolphyn for bryngyng letters on Mighelmas day			viiij
Item del ^d to Ric. Wentworth servaunt to Sir Thomas Wentworth k ^t the last day of September to be reckonid in my charges }	xx		
Item p ^d for my wyfes costes with iiij servaunts & iiij horses at Lon- don from Thoresday at afternone to Monday in the mornyng in all besydes hir baytyng at Colbroke the v day of Oct. }	xxxj	ix½	p ^d .
Item p ^d for candilles & bote hyer on Monday			iiij
Item p ^d to Robyn for brynkyng peres to me from M ^r . Tefdale			vj
Item del ^d to Ric. Wentworth servaunt to Sir Thomas Wentworth kt. the vj th day of October to be reckonid in my charges }	xx		
Item p ^d to Sir Thomas Wentworthes servautes for goyng iiij tymys with me to my house }	total vjl. del ^d		
Item gebyn to Ric. Wentworth a lyon and a colar	xij		
Item gebyn to M ^r . Undermarschell to hir servautes mariage offeryng			viiij

M^d.—Sir Tho. Wentworth kt. Marschell rode northeward on & after none the viij day of October A^o. xxvj^{to}. R. Rs. H. viij. & so from thensforth I bordyd my self and provydyd for al manner of necessariis for my self my wyffe my servautes and for al other in the hous ther at my charge as it aperith in the household boke ther entrid & writyn at the desyer & request of the same Sir Thomas & so contened duryng the tyme of my beyng in his ward & custodye.

Sir Adrian Fortescue his bord & his servautes to be rekenid & p^d to Sir Thomas Wentworth knight marshall.

	£	s.	d.
Inprimis the said Sir Adrian his bord from the fyrst day of September to the ix day of October which is fyve wekes & ij days for every week xs. sum		liij	iiij
Item for Tho. Honychirches bord fyve wekes & ij days for every weke iij s. iiij d. sum		xviij	viiij
Item for John Hawcliff his bord iij wekes for evry weke iij s. iiij d. sum		x	
			iiij l. xij d.

The Fees of the Marschall see ar as folowe :—

Sum p^d to Sir Tho. Wentworth fro the first day of September to the viij day of October which is fyve wekes and ij days is . } vj

Mem^d.—John Hawcliff went clerly from me the Wednyfday the xxij day of September & so he is to be rekenyd for iij wekes bord and I had but Thos. Honychirch with me duryng the said v wekes & ij days but only the said Hawcliff the sayd iij wekes.

And so is to be rekenyd for my bord, fyve wekes & ij days and for Tho. Honychirch fyve weeks and ij days and for John Hawcliff iij wekes wherof is paid as is above writyn vj

[Endorsement.]—Costes in trobilles now A°. xxvj.—Fortescue.—& payments for my bord.

Costes and parcells p^d. & bought from the xxix day of August A°. xxvj Rs. H. viij.

Item p ^d for vj yardes of blak lynyng for my wife	iiij	vj
Item del ^d to my horfekeper for al the costes here & home	iiij	ix
Item p ^d for ij yardes & $\frac{1}{2}$ lynyng for my blak gown sclevys		xv
Item p ^d for viij blak bogy skynnys for that gown	xiiij	iiij
Item p ^d for furring of the same gown	ij	
Item p ^d for iiij m. Englysh sprigges ijs. & for iiij pair of smal jemowrs with certeyn nayles to them viij d. & for iiij lb. of tyn for fowd xvij d.	iiij	ij
Item for a new scheth for my long kniff		viiij
Item p ^d for waschyng broshes for Rob. Thown		viiij
Item p ^d for iiij yardes blak rebend for my garters		xviiij
Item lent to Thomas Honychirch before hand of his wages	v	
Item p ^d for a yard night kercher & the makyng		xv
Item p ^d to John Hawcliff in ful payment of his yeres wages endyng the xiiij day Sept. & so he is for me for he schalbe schortely maryyd & so p ^d now	xv	in ful payment
Item p ^d for Water caryage of my coffar to London with my apparell		vj

		£	s.	d.
	Item p ^d			
	Item p ^d for ij almerly dores of waynskottes with ij lockes & keyys & } their henges }	ij		ij
	Item p ^d to Ric. Bysshop for the malmefey vessell & one potell to fil it			xvj
	Item p ^d to hym for the serche in the counters for accions ayenst me			xxj
	Item p ^d to hym for his charges aboute my besynes	ij		
	Item p ^d for a lowe turnyd cheyr for my wyfe			viiij
	Item lent to Harry Sir Tho. Darcy his fervaunte to be repaid by his } mafter or by hym to helpe hym out of the kynges bench in } ward for a fray in Southwark }	vij		vj
	Item p ^d for iiij small hokenayles vj & for xiiij peces lyer viij ^d			xiiij
	Item p ^d for the tyke of a small bolster redymade			xx
my patelet ¹	Item p ^d for iiij Spanish skynnys for my ij patelettes			viiij
	Item for tawney fustian to lyne it			xviiij
	Item p ^d for makyng of that patelett	ij		
	Item p ^d for ij conys skynnys & for furring & mendyng the furr of it			x
	Item p ^d for a roll of fyne blak bokeram	iiij		viiij
	Item p ^d for a yard yelowé bokeram & thred			vj ^½
	Item p ^d for ij lowe candilstikes for my closettes			xiiij
five pair of cors fhetes	Item p ^d for mendyng of cours schetes at my lodgyng			iiij
	Item p ^d for a schete to make fyve pair			xvj
	Item p ^d for iiij tymys my schwyng to Sonday the xj day of October .			vj
	Item p ^d for a lye pott & ij pictures of our lady in part payment ij ^d .			iiij

Termino Mich. A. xxvj R. Rs. H. viii.

	Item p ^d for vij elles of holond for ij schirtes for me moo & paid for } xx elles of ell brode cloth for ij pair of schetes }	xvj		viiij
	Item p ^d for iiij elles of ell brode cloth for ij peloweberes	iiij		i
	Item p ^d for xiiij elles $\frac{1}{2}$ of holond for my iiij schirtes	xx		vij
	Item p ^d for viij elles for schirtes for Awsteyn & other	v		iiij
	Item p ^d for vj elles of bokeram for Brigitte and other	iiij		vj
	Item p ^d for xx & vij elles of canvas of dyvers fortes	xxx		vij
lynnyn.	Item p ^d for xij elles for my wyfes smokkes & necessarys, candilles .	x		
	Item for — elles bokeram for rayles for my wyfe			
	Item p ^d for ij qrts. of white threde			x
	Item p ^d for an owncé of blak and white fylk			xij
	Item for bokeram for Marget Redes smokkes			
	Item p ^d for viij yardes blak lynyng for the childern	iiij		
	Item p ^d for vj yardes of white lynyng for the childern	iiij		

¹ Patelet, or Partlet, a ruff or band worn about the neck. Hall, Arch. Dict.

Sir Adrian Fortescue.

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		£	s.	d.
hofyn.	{ Item p ^d for a yard $\frac{1}{2}$ of blak for a pair of hofyn for me	iiij		vj
	{ Item p ^d for the makynge & lynyng of them			xvj $\frac{1}{2}$
	{ Item p ^d for a yarde & $\frac{1}{2}$ of blak ell brode for iiij pair hofyn for my wife	iiij		vj
	{ Item p ^d for makynge of those three pair of hofyn for hir			xij
	{ Item p ^d for a caskett for my wiffe	ij		x
	{ Item p ^d for a holy Water Stoper of pewter with y ^e sprynkyl			x
	{ Item p ^d for scheres .iiijd. thymbilles jd. white threde vd. & for bryngyng of canvas ij tymys iiijd. }			xiiij
	{ Item p ^d for mendyng of a brush			j
	{ Item p ^d for a close hamper of my wifes lynnyn			viiij
	{ Item p ^d for a dofyn cotton candilwyke iijs. & a dofyn other wykes xiid. }	iiij		
houfrent	{ Item p ^d for my houfrent due at this mighelmas del ^d to Ric. Besshop	xvj		viiij p ^d
	{ Item p ^d to the skaveger for this qrt ^r			iiij
	{ Item p ^d for a frontelet of blak velvet for my wife	v		
	{ Item p ^d for a yard of fatten for a patelet for my wife	iiij		
	{ Item p ^d for a gyrdil for Fordes Wyfe			xx
	{ Item p ^d for a yard of yelow briges saten for Margret & Briget fclevys }			xxij
	{ Item p ^d for ij rolles of bokeram for them	iiij		iiij
	{ Item for iiij gyrdilles & a purs for my wyffe	iiij		viiij
	{ Item for laces for my wyffe			xij
	{ Item p ^d for vj pair of Spanissh glovys for my wyffe			xviiij
	{ Item p ^d for ij night bonettes for Thomas my son			x
	{ Item p ^d for one yard of rebend for my toysys			iiij
	{ Item p ^d for burnysyng & mendyng vj sylver pottes			xx
	{ Item pd for iiij bokes to be sent to Awlsteyn to Wyncheſter	ij		viiij
	{ Item p ^d for v parchment skynnys			vij
lyverys	{ Item p ^d for ix yardes of lyverey tawney for Richard Gregory & Thomas xxxixs. for xviiij yardes of lynyng vjs. & for iiij yardes lyverey for Thomas Horsman xs. & for his lynyng iijs. sum . . . }	lvij		p ^d
ſent to my Lady Rede of giftes	{ Item p ^d for xl oraynges for my lady Rede iiijd.			
	{ Item p ^d for vj galons & a potell of Sek vs. vd. a fyrkin viiid. . . }	vj		xj p ^d
	{ Item p ^d for an ell & $\frac{1}{2}$ of canvas to truſſe it in vjd. }			
ſent to M ^r . Whitton of gyftes	{ Item p ^d for fyve galons & a potell of Sek iiijjs. vijd. a fyrkyn viiid. canvas iiijd. cariage jd. }	v		viiij p ^d
	{ Item for c. oraynges for my Lady Rede & M ^r . Whitton			ix p ^d
	{ Item p ^d to dyvers perſons to help to truſſe ſtuff at Stonor	iiij		iiij
	{ Item p ^d for dryvyng & markyng my catell at remevyng			xx
cariage of ſtuff from Stonor	{ Item p ^d to hyryd cartes to carye my ſtuff & goodes from Stonore at Mighelmas beſides gyfte cartes & myn own ij cartes ſum p ^d }	xxviiij		

		£	s.	d.
coftes at Woodftok	Item p ^d for my wifes coftes at Wodftok at Saynt Mathewys tyde in Sept. in all	xvj	j	
	Item bryngyng a buk to London			xx
	Item p ^d for my brother Leonard Reedes coftes M ^r . Whittons, Rob ^t . Belfons & other to be my fewertes to Sir Th. Wentworth the firft day of Sept.	v	x	
	Item p ^d for making the obligacion			xx
coftes to M ^r . Cave	Item p ^d M ^r Whittons coftes & John Grenes thens to Mr. Cave for the farme of Waterftok	xj	viiij	
childerns bord	Item p ^d for fchoyng of horfes & mendyng fadill &c.	ij	iiij	
	Item p ^d for a motneth to Tho. Fortefcu his norife & begynnyng the iiij th day of Sept.	ij	viiij	
	Item p ^d for a moneth for Mary Fortefcu to W. Thomas begynnyng the x th day of September	iiij	iiij	
	Item for vij elles bokeram for my wyffe	iiij	vj	
Inventory of Stonor	Item makyng my Wifes kyrtil of tawney Briges faten			xx
	Item Ric ^d . coftes to me to London in September	ij	iiij	
	Item gevyn to Mr. Ric. Crifpe for writyng of the Inventory indentyd of the delyveraunce of Stonor place	iiij	viiij	
	Item for caryyng a letter to M ^r . Barantyne			viiij
childerns bord	Item for my wyfes coftes at Colbrok up & down	vj	vij	
	Item p ^d for makyng childerns apparell	iiij	vj	
	Item p ^d for Tho. Fortefcuys norfyng for ij monethes endyng the xxvij day of Nov.	v	iiij	
	Item p ^d to W. Thomas wiff for Mary Fortefcu hir bord one moneth endyng at Haloutyde	iiij	iiij	
new yeres gyftes	Item gevyn to hir whan fche caryyd har to my Lady Rede the day of O&T. & ther del ^d hir			xx
	Item p ^d for fchone for Marget Rede & Brygytt			xij
	Item p ^d a velvet bonet for to geve M ^r . Marshall	xj		
	Item p ^d for a dofyn glovys to geve M ^r . Marshall	iiij		
	Item gevyn to M ^r . Mynton xx <i>d</i> . & to ij yong boys viij <i>d</i>	ij	iiij	
	Item p ^d for quarter & $\frac{1}{2}$ quarter of fkarlet for my wyfes ftomacher	ij		
	Item for iiij blakconysfkynnys xv <i>d</i> . & for the workmanship iiij <i>d</i>			xx
	Item p ^d for my wyfes bote hyer to Grenewych before Criftmas & iiij tymys in Criftmas and on Sondag after Criftmas	x		
	Item for bote hyer at London dyvers tymys to that day	iiij	iiij	
	Item p ^d of a quartern of White threde & nedilles			iiij
	Item p ^d for ij pronofticacions & a boke of algrym ¹			iiij
	Item gevyn to Ric. Hall for comyng to me for befynefs	iiij		

¹ i.e., Arithmetic.

Termino Hillr. A. xxvj^{to}. R. Rs. H. viii.

		£	s.	d.
hous rents & skavage	{ Item del ^d . to Ric. Bysshop taylor the xxx day of January to pay this			
	laft Criftmas my houfrents }	xvj	viiij	
	Item to the skaveger for this quarter		iiiij	
	Item p ^d for the copey of the office fowndyn yn Gloceterschire after			
	the deth of Edm. Wykes Esq. }	ij	viiij	
	Item p ^d for vj woodcokkes sent to M ^r . B. with a fatt capon	ij	viiij	
	Item for bryngyng a letter from Henley sent from Bradstone		iiiij	
	Item p ^d for my Cofyn Fortescu his bote hyer iij tymys		xij	
	Item gevyn on Schroff Sondag to Ric. Hall for his costes home		xx	
	Item p ^d for the actes of this laft parlement		vij	

[On a small flip.] Layd owtt by me.

- It. for fichets & other thynges vijs. vd.
- It. for vij elles of clothe for yor schertes viijs. iid.
- It. for bokeram for my self for nyght ralls iijs.
- It. for v elles off clothe for Auften iijs. ix d.
- It. for botte hyre to dayes xjd.
- It. to the mayd for vj wekes ijs.
- It. for viij elles of canvas iijs. iiijd.

Sum xxvijs. viid.

At Abendon A. xxix R. Rs. H. viij the xiiij day of Marche.

Item p ^d for the marble tombe & the gret marble stone & faynt Peter	{	xx	
			& St. Powles images in all }
Item paid for the carrayge of a gret marbelstone			xij
Item p ^d for the carrayge of the tombe wher of was iij lodys			xij
Item p ^d . to the mafons for brekyng up of the tombe & for the labar-	{	iiij	
reers to helpe to lode the stonys }			
Item p ^d for mendyng of a fled			iiiij
Item p ^d to the Mafter mason by promys			xij
Item for my denar Wenfday			iiiij
Item for my horfe mete			ij
Item spent by fydes			ij
Item layd in ernyuft for the tombe			iiiij
Item payd for the carrayge of Peter & Poulle			ij
Item for my denar Thursday iij d. Item for my foper iij d.			vj
Item for my denar iij d. Fryday & Item spent byfydes iij d.			vj
Item for my horfemetete Thursday & Fryday			xij

Sum^a. xxixs. vjd. p^d.

Endorsed.]—Mem^d delyward to Wm. Wykes dwellyng in Abynton at the syne of the whytte harte xix pefys of marbel besydes the upper stone of the tombe that ys in v pefys & a gret laystone of ix fote & a halfe longe & iij fote & a halfe brode

Sir Adrian Fortescue, K^t.

A marble tombe & a nother gret lay stone of marble bought at the pullyng down of Abenden Abbey chirch the xiiij day of Marche A°. xxix R. Rs. H. viij.

B.

The Inventorie of all moveable and unmoveable perteynyng to Sir Adrian Foskewes howse made the xvij daye of Februarie, in the xxx^{the} yere of the Reigne of ow^r Sou^raighe lord kinge Henry the viijth.¹

Furste a Bafon and Ewe^r filv^r and parcell gilt, the Bafon havinge armes in the bottome.
 Itm̃ twoo pottes silver and parcell gilt havinge like armes in the buskell.
 Itm̃ twoo litle faltes silver and parcell gilt w^t one cover havinge a Roman A upon the toppe.
 Itm̃ vj smale cruses silver and parcell gilt w^t one cove^r wherof one lakethe an handle all plaine.
 Itm̃ one oither cruse w^t a cove^r silver and parcell gilt chafed.
 Itm̃ twoo faire faltes w^t one cove^r silver and parcell gilt beinge viij squares of dyverse sortes.
 Itm̃ a noither bafon and Ewer silver and parcell gilt The bafon havinge the sonne in the bottome.
 Itm̃ a smale cuppe glasse fashon w^t a cove^r silver and parcell gilt wethen.
 Itm̃ xij spones silver havinge maiden heddes at the endes gilt.
 Itm̃ xij oither spones silver and knoppes at the endes gilt.

White Plate.

Furft iij Goblettes w^t one cove^r playne all silver and not gilt.
 Itm̃ one smale cruse w^t a cover playne and white.
 Itm̃ xij spones silver and flipped at thendes.
 Itm̃ a litill peice like a cuppe of assay white.
 Itm̃ xij spones white w^t spere poynte.
 Itm̃ vj other spones w^t woode howses at thende gilt.

Gilt plate.

Furste iij goblettes silver an of gilt w^t one cove^r all thre pounfede w^t armes in the buskell of the cover.
 Itm̃ iij oither goblettes silver and gilt w^t one cover and all chafed w^t flower de luces and oither wilde flowers havinge S^r Adrian Foskewes armes upon the cover.
 Itm̃ a stondinge cuppe w^t a cov^r all gilt havynge a Garland aboute the cove^r of Rooses and braunches.
 Itm̃ an oither stondinge cuppe w^t a cove^r all gilt w^t a bossie in the bottome.
 Itm̃ an noither stonding cuppe w^t a cover all gilt beinge pownsed w^t wilde flowers.
 Itm̃ an noither stondynge cuppe w^t a cove^r all gilt and chafed.
 Itm̃ an noither standing cuppe w^t a cove^r all gilt beyng playne.

¹ Cotton MS. Appendix, xxviii. fo. 171.

Itm̄ an ale crufe w^t ij eres, and a cover all gilt, and apon the cover a knoppe w^t a roose pownfede.
Itm̄ ij smale faltes w^t one cove^r all gilt w^t a pounce garnett graiven on the toppe.
Itm̄ thre gilt spones flippede at thendes.
Itm̄ a noither standynge cuppe w^t a cover all gilt beinge playne.

In the further howse next the garner.

Furst a greate coffer w^t ij lokkes bownde w^t yron and in the same a sperver of blewe and yelow
farcenet w^t courteyns.

Itm̄ a sperve^r of tawny chamlett and blak farcynet w^t courteyns torne.
Itm̄ vij peices of greine verdures lyned w^t canvas.
Itm̄ a fyne verders counterpoynte.
Itm̄ a noither fyne verders counterpoÿte w^t the armes of Flaunders.
Itm̄ a newe verders cupberde carpet.
Itm̄ iiij newe longe varders carpettes for wyndowse.
Itm̄ a longe benche varders carpett lyned w^t canvas.
Itm̄ thre large counterpoynts w^t Imagery of tapestry of dyverse sortes.
Itm̄ vj shorte carpettes for cupberdes of turkye worke.
Itm̄ ij longe chapell carpettes cowshens lyned w^t leather.
Itm̄ iij square carquette coushyns of dyverse sortes.
Itm̄ iij qushens of cruell and nedle worke.
Itm̄ a fyne large carpett of turkey worke w^t beistes.
Itm̄ a steynede linnen clothe for a bed.

In the greate Coffe w^t on lolk ther.

Itm̄ dyverse parcelles of redde greine and yelow saye for hangynge of chambers.

In a nother coffer ther.

Itm̄ a xj pillowes of downe covered some w^t fustyan and some w^t tike.

In the Wardroppe.

Furst a hangynge of greine say steyned.
Itm̄ a sperver w^t courteyns of darnek.
Itm̄ a feither bed a bolster ij blankettes a torne counterpoynte of Imagery a mattres and a bedsted.

In the greate cipres cheist ther.

Itm̄ a counterpoynte of vardures w^t bestes course.
Itm̄ a course counterpoynte of tapestry w^t ymagery.
Itm̄ a greate seler and tester of payned say redd greine and white.
Itm̄ vj cowshens of yelow varders.
Itm̄ a longe carpett of greine varders.
Itm̄ a olde cradle clothe of tapestry w^t Imagery.

Itm̃ a feler and a tetter of Sattyn a brigges and thre courteynes of red and ruffett farcynet.
 Itm̃ ij fustyan blankettes and a counterpoynt of paned verders.
 Itm̃ a Tetter and ij courteynes of greine and yellowe Frenche faye.

In a greate joyned presse ther.

Itm̃ dyverse peices of the maydens weringe gere.
 Itm̃ in a nother litell cheift a horse harnes for a gentill wooman.
 Itm̃ in a greate stonderde ther bownde w^t yron a gowen of ruffett velvett, furred w^t martons and a gowen of blake velvet lyned w^t fattyn blake.
 Itm̃ an olde flemishe chare.

In the Entry.

Itm̃ an olde pair of virginalles and one olde cheift w^t a masse booke, and dyvers thynges belongynge to a Chapell.

In the greate Chamber at the neither ende of the halle.

Furft a hangynge of greine and red say panede.
 Item one greate trussinge bed w^t ij feitherbedes, whe^r of thone is downe withe ij bolsters and ij pillowes of downe.
 Itm̃ thre blankettes of woollen clothe.
 Itm̃ a coverlett of vardure woork vnlyned.
 Itm̃ a mantill of redde.
 Itm̃ a small trussynge bed and a feitherbed, apon the same covered w^t fustyan and a bolster to the same w^t a mattres.
 Itm̃ a pair of blankettes one double, thother single.
 Itm̃ an olde coverlett of tapestry worke with Images and an olde red mantill.
 Itm̃ a truckell bed w^t a feitherbed and a mattres, ij bolsters, iij blankettes, and a course coverlett of tapestry and a sperver w^t courteyns of blewe bokkeram.
 Itm̃ a wyned cupberd w^t a counterfett carpet apon it.
 Itm̃ a shorte table joyned w^t a course carpet.
 Itm̃ ij cheiftes bownde w^r yron whe^r in is xij pair of canvas sheites and ij lynen aluter clothes w^t a furplice for a preift.
 Itm̃ iij olde cuthyns and a olde flemishe chaire and a turned chaire, and thre olde cheiftes.
 Itm̃ twoo Awndyerns a fyer pañ, and a pair of tonges.
 Itm̃ a chafer of brasse w^t twoo basons, and one chamber pott of pewter.
 Itm̃ ij joynede stolles.

In the Inner Chambr̃.

Fust ij bedstedes w^t ij feither bedes, ij bolsters and iij blankettes and twoo course coverlettes an olde testure of darnyx and a nother of olde white lynen.
 The lynnyng Itm̃ an olde greate coffer w^t ij lokkes xx pair of canvas sheites iij pair of fyne sheites iij pair of pillowbers iij dyaper table clothes, iij dyaper towelles, ij dosen of diaper napkyns, and twoo dosyne of playne napkyns, ij fyne table clothes, iij fyne playne copberde clothes, vj playne towelles, ij longe hall borde clothes course. Itm̃ an old shipe cheift bownde w^t yron.

In the brusshynge howse.

Itm̃ dyverse olde cheiftes w^t trumpery ware.

In the halle.

Itm̃ a hangynge of greine sey bordered w^t darnexe, ij greate fide tables w^t fstandinge treffels.

Itm̃ a smale joyned cupberde of waynscott, and a shorte peice of counterfett carpett apon it.

Itm̃ a square cupberd and a large peice of counterfett carpett upon it/ a shorte peice of carpett in the wyndowe/ and v formes w^t ij candle plates.

In the perler.

Itm̃ a hangynge of greine fay and red panede.

Itm̃ a table w^t ij trestilles and a greine verders carpett apon it olde/ iiij olde greyne vardre cufshins, a joyned cupberd and a nolde carpett apon it. An olde peice of vardres carpett in the wyndowe and a peice of counterfet carpet in the oithe^r wyndowe and one flemishe chaire iiij joyned stollles, a joyned forme/ a wyker skryne, ij lardge awndyerns, a fyer forke/ a fyre pan, a pair of tonges.

Itm̃ a lowe joyned stole, ij joyned foote stoles a rownde table of Cipres, and a pece of counterfet carpett apon it.

Itm̃ a peynted table of the epiphany of o^r lord.

The Chamb^r over the perlar.

Fust a hangynge of red and greine fay panede.

Itm̃ a sperver of greine and blak sey with courteyns of the same. A trussynge bed framed of weynskott, ij feitherbedes, one greate bolster, ij fustians, ij pillows of downe, a large counterpoynt of greate verders, ij joyned formes, a turned chair, and a joyned cupberd w^t a counterfett carpett apon it.

Itm̃ a wyndowe clothe of panede sey, ij smale awndierns, a paire of tonges.

Itm̃ a greate standarde w^t dyvers appairell belongynge to the lady Folskewe.

In the Inne^r Chamb^r ther.

Itm̃ a hangynge of stayned clothe a sperver of blewe bokkeram a bedsteid, a mattres, a feitherbed, ij litle bowlsters, ij olde blankettes and an olde coverlett.

In the Cellar.

Itm̃ a coupberde, and a awmery of heire, an oister bord and dyverse olde bottles.

In the buttry.

Item ij basons and ij ewars of pewter, a latten shavinge bason xij greate candellstickes, viij smalle candellstickes dyverse lether pottes and bottles, a joyned frame to sett cuppes apon, a brede byn, and dyverse olde tubbes.

Itm̃ vj table clothes of dyverse sortes, iiij cupberde clothes and xxx plaine napkyns iiij plaine towelles.

In the butlars chamb̃r.

Fuſt, a feithe^r bed, a bolſter, ij blankettes, and a coverlett, a piece of red ſey for a teſter and a table w^t treſtilles.

The preiſtes chamb̃r.

Itm̃ a hangynge of ſtayned clothe and a teſture of the ſame ij feitherbedes and a bolſter, a mattres, thre blankettes and an olde counterpoynte of red and yelowē vardres a pillowe of downe, a joyned ſtole.

In the lowe perlar.

Itm̃ a hangynge of greine and red ſay panede, a ſperver of lynnen, a bedſteid, ij feitherbedes ij bolſters, a mattres, ij blankettes, ij olde counterpoyntes, of tapeſtry, ij pillowes of downe, a turned chaire a longe cupberde w^t a pece of counterfett carpett apon it, a ſhorte table w^t twoo treſtilles, a joyned ſtolle and an olde forme.

The horſe keepers chambre.

Itm̃ iij olde bedſteids, v olde mattres and x bolſters iij blankettes and v olde coverlettes of dyverſe fortes.

In the next chamb̃r.

Itm̃ iij be^ſteides, thre feitherbedes, ij blankettes, iij olde coverlettes, iij bolſters, one ſparver bokkeram panede white and blewe, and one teſter of lynnen, and a noither of paynted clothe.

In the cooke's chamb̃r.

Itm̃ a bedſted, a feitherbed, and a bolſter, ij blankettes, ij coverlettes and in the next chamb̃r dyvers olde bordes and traſhe.

In the chamberlyns chamb̃r.

Itm̃ a bedſteide, a feitherbed, a mattres, a bolſter, ij blankettes, ij olde coverlettes and a teſter of blewe bukkeram olde.

In the kechyn.

Furſt xvij platters, xvij diſhes and xvij ſawcers and one charger of the beſt forte.

Itm̃ xvij platters, xvij ſawcers, w^t xvij diſhes of the courſe forte.

Itm̃ vj braſſe pottes greate and ſmale, vj pañs greate and ſmale, one ketill ſmale, a poſſenett, a laten ladle w^t a ſkommer, a chaſſynge diſhe, a pewter collenda^r, a pewter potte for verioce, vj broches greate and ſmale, ij drippyngē pannes and a gredeyroñ, ij fryenge pannes, a fleſhe hooke, ij greate yron Rakkes, iij potte Rackes, iij pair of pott howkes, thre yron dogges to ley oñ woode, a greate braſon mortter w^t a yron peſtill, a litle braſon morter/ w^t the peſtill. A ſtonne morter and a wodden peſtle a ſtrikyngē knyff and ij ſmale knyfes, a fyer ſhull, thre tryvettes greate and ſmall, a fleſhe axe, a wode axe, three yron wegges, dyverſe trayes, a muſtard querne w^t a ſtaffe, a braſen chaſſer and a grydyngē ſtonge w^t an oron handle, and dyverſe oither olde tubbes.

In the larder.

Itm̃ a bryne tubbe, a powderyngē trowghe w^t a cover and oither dyvers neceſſaries.

In the bultinge howse.

Itm̃ a knedinge trowghe and oither necessaries belongynge to the fame.

In the fyfhe howse.

Furste, dyverse lynges, haberdens, and stokke fishe as is for the provision for the howse w^t white hearyng and red.

Itm̃ xvij boz of thatcheis.

In the garner.

Itm̃ in Oites by estimacon .	.	.	.	.	.	.	.	viiij q̃rt̃s.
Itm̃ in malte made and unmade .	.	.	.	.	.	.	.	ix q̃rt̃s.
Itm̃ in wheite threfshede .	.	.	.	.	.	.	.	iiij q̃rt̃s.

In the Barnes.

Itm̃ in one barne ij beye of whete vnthrefshed and a parcell' of hey in the oither ende.

Itm̃ in the oither barne peafe strawe and barley strawe.

In the Carters stable.

Itm̃ one thille horse and viij oxen for a carte.

Itm̃ ij cartes showed and all maner of harneis for the fame cartes the horse and oxen.

Catall.

Itm̃ vj kyne and ij weners.

Itm̃ one bore and thurteyne hogges.

Itm̃ one Catery horse, and ij horses for the sadle thone baye thoither blak.

In the olde howse besides the buttery.

Furft dyverse olde tubbes, bolles and cruses with oither necessaries.

In the brewe house.

Itm̃ a furnes and three faates more and lesse, and a thinge to kele worke in dyverse tubbes, and kylderkyngs with oither necessaries.

Att Sr. Adrian Foskewes loging besides the black Freers in London.

Furste in the perlar ther a hangynge of yelowe and greine fay panede.

Itm̃ a cupberde with a flemishe chaire.

Itm̃ a longe table w^t ij trestilles.

Itm̃ vj joynede stalles.

Itm̃ a litle pece of fay hangynge before the wyndowe yelowe and greine panede.

Itm̃ a longe fetell.

Itm̃ ij awndyerns and a fyer forke w^t a pair of tonges.

Itm̃ a pair of tables.

*Family of Salden.**In the buttry.*

Itm̄ a dosen platters, a dosen dishes w^t a dosen sawcers, a chafynge dish ix candell stikes, greates and smale, ij quarte pewter pottes, a pottell pott of pewter and a pynte wyne pott pewter.

Itm̄ a bason and Ewer of pewter.

Itm̄ a rownde washinge bason, a brasen mortar w^t a pestill.

Itm̄ a pair of Rackes w^t dyvers bordes, baskettes, cruses and oither trashe.

Itm̄ ij bredde bynnes withe covers.

In the hawle.

Itm̄ twoo peices of stayned clothe.

Itm̄ a longe table w^t twoo trestilles w^t a shorte joyned forme.

In the kechyn.

Itm̄ iiij pottes greates and smale, ij pannes, one biggar and a noither lessar, a gredyern, a frienge pan, a dryppinge pan, a longe spitt, and a birde spitt, ij clevinge knyffes w^t dyverse olde bordes and trashe.

Itm̄ ij Tryvettes one byggar and a noither lesser.

In a chamb^r over the kechyn.

Itm̄ a bedestede, a fetherbed, a bolster w^t a pillowe and an olde white coverlett.

Itm̄ a pair of blankettes.

In the streite chamber.

Itm̄ a bedesteide w^t dyverse olde bordes and trashe.

In the Study chamb^r.

Item a litill peice of staynede hangynge.

Item a litill borde covered w^t greine cotten.

Item a chaire.

Item a chest w^t one lokk w^t dyvers writynges.

In the chamber at the stere hedde.

Item a bedested with a feith^r bed, a bolster, a pillowe, a pair blankettes, a redd, coverlett w^t the sparver of greine say and courteyns of the same.

Itm̄ a cheste w^t one lokke w^t writynges in hit.

Itm̄ the hanginge of greine say.

Itm̄ ij smalle awndiernes a cupbord w^t a counterfett carpett apon it.

In S^r. Adrian Foskewes owen Chamber.

Itm̄ a trussynge bedde, a feith^r bed, and a mattres, a bolster a pair of blankettes a coverynge of vardures.

Itm̄ a sperver w^t courtaynes to the same of yellowe and greine tuke.

Itm̄ the hangynges of red say.

Itm ij awndiarnes w^t a pair of tonges, a chair, a joyned forme a cheste at the beddes feete w^t writinges.

Itm a cheft of napery ther.

Itm nyne course sheites for serv^auntes, ij pair of fyne sheites, vj olde towelles, iiij table clothes ij cupbord clothes, iiij fyne napkyns olde and x course olde napkyns, iiij fyne pillowbers w^t olde torne sheites.

In the Inner Chamb^r.

Itm a beddested, with a feitherbed, a bolster, a pair of blankettes a white coverlett, a presse, a cheste bownde w^t yron w^t apparel belongynge to his owen body in hit as, a velvet gowen blacke furred w^t martans, a chamlett gowne black weltd with velvet, and furred w^t lambe a doublett of blake fattyn, a Jackett of blake fatten a pair of blak hooft w^t a sheite to wrappe the gere in.

Itm a longe counterfett carpett for the perlar w^t fyve shorte ones of the same for cupbordes.

Itm viij carpett cowfshens.

Itm thre pair of newe girthes double.

Itm a sparver of olde lynnyn clothe.

In the Cellar.

Itm a fewe billittes w^t dyvers olde bordes and trashe.

Itm at M^r. Maddox howse in cheipefide a cheste with Evidences.

Endorfed—The Inventorie of S^r. Adrian
Fortescues goodes.

Articles of Plate claimed by the King—A.D. 1538.¹

fol 10.

(1.) Hereafter ensuith all thos parcells of plate and Juells of Silver that hath ben delyv^ded unto the kings maiestie sithen^r the first day of Octobr in the xxxⁱⁱ yere of his maiesties reigne, by John Williams Maister and Treafurer of his grac^e Jewells Receyved by the same John to his said maiesties use of dyv^rse and sondry surrendered monasteries.

[*inter alia.*]

fol. 12.

Item delivered unto his maiestie the xxviiijth daie of June ij bafons and ij Ewers pcell gilte wherof thone weithe iiij vij oz and thother Lxxvij oz pcell of fuche stuff as came to thuse of his faide maiestie by thattender of Sr Adrian ffortescue knight weinge togethers one hundrede three score and foure vnces Sina CLxiiij. oz.

Itm delivered more unto his maiestie the same daie of the faide Sr Adrian ffortescues stuff ij pott^s pcell gilte weinge togethers foure score and foure vnces Sina iiij. iiij. oz.

¹ From Bodleian Library MS. e Museo, 57.

CHAPTER XIV.

The Fortescues of Salden continued.

THE RIGHT HONOURABLE SIR JOHN FORTESCUE.

JOHAN FORTESCUE, the eldest son of Sir Adrian, was born early in the year 1533, either at Stonor or Shirburn, in Oxfordshire. He himself relates that he came into the world in the same year as Queen Elizabeth, about six months before her.¹ His mother, as will be remembered, was Sir Adrian's second wife Anne, daughter of Sir William Rede of Boarstall.

His father's execution having taken place when he was only eight years old, he was brought up under his mother's care and direction; though we do not know from whom he learned the rudiments of Latin and Greek, languages in which he afterwards excelled. He is said to have gone to Oxford, and he finished his education at one of the Inns of Court.²

In the Statute Book for the 5th and 6th of Edward VI. we find an Act for his "Restitution in blood" to remove the effects of his father's attainder; and the Lords' Journals for 1552 record the passing of the Act in that year.

He was soon after chosen to be preceptor to the Princess Elizabeth, being recommended to her by the Earl of Hertford, and possibly assisted by his own relationship to the Princess through the Boleyns.³

He was much trusted and consulted by Elizabeth, and upon her accession to the throne she kept him about her by at once naming him her "Master or Keeper of the Great Wardrobe, an office of great antiquity and dignity,"⁴ which he held until her death. His appointment bears date July 22, 1559, in the first year of the reign.⁵

"The King's Great Wardrobe" at that time was in the Blackfriars, and in it were kept, says Fuller, "the ancient clothes of our English Kings which they wore on great festivals; so that this wardrobe was in effect a library for antiquaries therein to read the mode and fashion of garments in all ages."⁶ It was also a depository "for the secret writings and

¹ Lord Northampton's Letters to Earl of Marr, quoted in Bucks Records, vol. i. Elizabeth was born at Greenwich, September 17th, 1533.

² Lodge's Peerage of Ireland, vol. iii. 346. His name, however, does not appear in Hearne's carefully made MS. register of graduates from 1505 to 1659, containing about 20,000 names.

³ Lodge.

⁴ Beatson's Political Index, i. p. v.

⁵ Patent Rolls, 1 Elizabeth.

⁶ Cunningham's Handbook of London.



THE LORD PORTMAN

Portrait of the Lord Portman

letters touching the state of the realm which were wont to be there enrolled; and not in the Chancery, as appeareth by the Records."¹

Stow writes also, "Here was of late years lodged Sir John Fortescue, Knight, Master of the Wardrobe, Chancellor and Under Treasurer of the Exchequer, and one of her Majesty's Privy Council," showing that he still lived in Blackfriars after his promotion to higher offices as well as before it.

The residence was described by Sir John as "my house at the Standing Wardrobe near Carter Lane."² The "Standing Wardrobe" was a term to distinguish the house and office in Blackfriars from the "Removing Wardrobes" established in various places for the service of the Court.

He did not upon receiving this appointment cease to direct the Queen's studies, but continued to preside over them long afterwards;³ thus occasioning the quaint remark of Lloyd that Sir John Fortescue was "one whom she trusted with the ornaments of her soul and body."⁴

He appears by his prudence to have early begun to increase the estate which he had inherited from his father; for in 1559 the Patent Rolls contain a licence to Sir Thomas Parry, Knight to alienate the site of the manor, &c., of Salden in Bucks to John Fortescue, Esquire, and others;⁵ the purchase of the whole property, however, was not completed, according to Lipscomb and Brown Willis, before 1580.

In the next year (1560) the Queen, as a mark of favour, gives him the keepership of Cornbury Park in Oxfordshire,⁶ with its right of grazing, herbage, and pannage. (*Herbageium et pannagium*.)

Sir John was married before his appointment to the wardrobe, hardly later than 1556. His wife was Cicely, daughter and co-heir of Sir Edmund Ashfield of Ewelme, in Oxfordshire, and afterwards in right of his wife, of Tattenhoe in Bucks. She was the youngest of three daughters, the eldest being Avice, married to Edmund Lee of Pichelstbourne in Bucks; and the second, Elizabeth, wife of William Fettyplace of Childrey, Bucks, whose grandfather Anthony Fettyplace of Childrey, Esquire of the Body to Henry VII., had married Mary Fortescue Sir Adrian's sister, and widow of John Stonor of Stonor. By this lady, Sir John at her father's death in 1577 became possessed of Shenley, Snellshall Priory,⁷ and of other parts of Sir Edmund Ashfield's estates in Buckinghamshire in the neighbourhood of his own estates at Salden.

¹ Stow's Survey of London, vol. i. Book iii., page 224, "Parish of St. Andrew Wardrobe."

² Letter from Sir J. Fortescue to John Pare, Feb. 2, 1590, in Harl. MS.

³ Camden's Annales Rerum Ang. Reg. Eliz., by Hearne, vol. iii. 613, 1589. "Liberalibus Reginæ studiis et Regiæ synthefi five Garderobæ diu præfuerat."

⁴ Lloyd's State Worthies, vol. i. p. 442.

⁶ Pat. Rolls, 2 Eliz.

⁵ Pat. Rolls, 1 and 16 Eliz.

⁷ Lipscomb, iii. 506, and iv. 327.

The Queen's confidence in Sir John does not appear to have been shaken by the rash conduct at this time of his brother Sir Anthony, who, as will be seen, was a leading conspirator with the Poles in their plot against her. His escape with imprisonment, instead of losing his head, has been generally attributed to Sir John's intercession with his Royal mistress.

In 1570 he had the misfortune to lose his wife after she had borne him nine children. She died on the 7th of February in her thirtieth year, and was buried in the church of Murfby, the parish in which Salden stood.¹ Of her nine children three died before her.

As her husband was thirty-seven years later laid in the same tomb, we will give its description and epitaphs when we record his death.

There is a Patent Roll, in 1573, granting him "free warren in all the lands of the manor of Salden in the county of Buckingham for ever."²

He had some years before, in 1562,³ obtained from the Queen for 423*l.* 2*s.* 4*d.*, a grant for ever of the neighbouring manor of Drayton-Parflow (so called from Ralph de Passa-aqua, or Passe-l'eau, who held it soon after the Conquest), with the advowson of the Rectory there.

Besides these acquisitions in Buckinghamshire, he added the manor of Swyncombe to his patrimony in Oxfordshire; obtaining from the crown in 1565 a lease of it for twenty-one years from 1575, for 9*l.* per annum rent, which lease was twice renewed; the last time for sixty years from 1596;⁴ also "the site of the manor of Cadwallo," in the same county.⁵

Fortescue being now settled upon his purchased estate in Bucks, and living in the old mansion which he found at Salden, a feud arises between him and his principal neighbour Lord Grey of Wilton,⁶ the owner of Whaddon Hall, and Keeper of the Chase and Park, which almost cost him his life. There is a full and minute account of the circumstances of the quarrel in the State Papers of the period. It shows us so much of Sir John's character, and of the mode of life which he and others followed in the rural parts of England three hundred years ago, that I give it here at length.⁷

Complaint by Mr. John Fortescue against Lord Grey, and his men, for hunting within his Manor of Salden, and of the "uncivil" language of Lord Grey to him in the Presence Chamber.

About three years past, upon disorder of my Lord Grey's servants for hunting my warren, breaking my hedges, and disturbance of mine inheritance at Salden, I came, at Westminster, in the chamber of

¹ See her monument.

² Pat. Rolls, 16 Eliz.

³ Lipscomb, iii. 339, and Pat. Rolls, 4 Eliz.

⁴ Napier's Swyncombe, pp. 207, 208, 209. N.B.—The second lease in January 24, 1582, is to J. F. and Alice his wife, showing that he had married again before that date. Napier quotes "Land Revenue Record Office" for this date, and Pat. Rolls, 7 Eliz.

⁵ Pat. Rolls, 7 Eliz., May 22.

⁶ Lipscomb, iii. 496.

⁷ See Napier's Swyncombe, p. 390.

Presence, to the Lord Grey, and desired his Lordship that "he would take order with his servants, and keepers of Whaddon Chase [in Buckinghamshire], that they would not injurie me in my lawful right; and use these oppressions upon his Lordship's poor neighbour, and always to my power his well-willer:" whereunto he, somewhat moved, answered, that he "had done nothing, but that of right he might, and that they should hunt," with other hoole¹ speech to the like purpose. I then replied, "It was mine inheritance, and place of habitation," and therefore "desired his Lordship that, with his good favour, I might enjoy such grants of free warren, as I had in mine own, which I meant not to lose, so long as law served." My Lord therewith in a choller said, "Tush, a Lord in your teeth, I will hunt it, and it shall be hunted in spite of all you can do." I, therewith moved, said, that "his uncivil speech were unfit for that place and his honour, and that I took some scorn therewith, besides that I might justly think many good offices of good-will on him bestowed, very evil placed to find this recompense." The Lord Grey then said, "I know Mr. Fortescue well enough;" and I answered, "So do I also know the Lord Grey:" and so we departed at that time.

Two days after, the Lord Grey came to me in the same place, and said, "Mr. Fortescue, I would gladly speak with you, if you go aside with me." I answered, "I would wait upon his Lordship." We then went into the gallery in the backside of the Queen's Lodging at Westminster, where he said unto me, "Mr. Fortescue, you the other day seemed to be much offended, and stirred in speech; I marvel thereat." "My Lord," I answered, "my request to enjoy my own, by you denied, together with your injurious speeches, were cause to stir any man, I think." "I used," said the Lord Grey, "no evil speech unto you." Then I charged him with his words, which in part my Lord denied, and in the whole qualified, saying, that he "tendered the friendship of Sir Edmund Ashfield, and me, as much as any gentlemen's in the shire." Whereunto I answered, that "he had, and should find us, as ready to do him honour." He requested that "I should not be an evil neighbour to the game." I answered, that "I would not myself, nor that no servant of mine should hunt my grounds, nor yet suffer any Purley men to hunt them at any time." And so we departed, all griefs satisfied, as to me then did seem; and the said grounds have never been hunted by me sythence, nor any of my servants.

On the Monday, 12th of August, I, finding the keeper Wynton his boy, hunting my grounds namely, Rie Close, discharged him of that doing, and required that he, nor any other of the servants of the Lord Grey, should intromit with my warren grounds, in which I stood seised, as by divers grants might at large appear, and therefore I required this to be taken as a warning.

On the next morrow, being Tuesday, John Savage, Ranger under the Lord Grey, came to my house, complaining of the interruption made to Wynton's boy. To whom I answered, that "I was, and always would be, good friend to my Lord, and his, in all might lie in my power; and further prayed him, that neither by his means, nor any other of his fellows, occasion might be ministered of breach of the good-will and friendship I had borne, and professed by all means to bear unto my Lord Grey, nor that they would offer me the injury to hunt my warren, and disturb my possession, oppressing me in my own several grounds." Whereunto he answered, "He had, would, and must hunt." I replied, that "I had grant to the contrary, and it was my warren, whereof he might be assured, if he would credit me." And further, I asked, "To what end he would hunt, or interrupt my possession in mine own? and whether I had been a good neighbour or no to the Chace?" which part he granted

¹ Whole.

I had, and all my servants. Then, I added, "What if, when you hunt, and I do stand up with bows and dogs, and slay your deer, may I not so lawfully do?" which he also granted. "Then tendeth your hunting to small purpose. Yet, nevertheless, if you will thereunto agree, for that I honour my Lord, and seek quietness, I will be contented, until my Lord return, to forbear mine own commodities, and neither myself, nor any Purley men, shall hunt any of my grounds, so that you and your's will be contented with the same offer." Wherewith he seemed satisfied, and so we came in to breakfast, he saying to me, he would "go to Layton, and thence to Sheldon, his fair in Worcestershire, on Thursday following:" and so, after divers speeches, and proofs of the boy's lying tales, we went into the Hall, where we break our fast; and I desired Savage to be no stranger at Salden, which he promised not to be: and so we departed, satisfied, as I supposed, in all points.

On the Wednesday afternoon, I, finding the keeper's boy not only hunting, but also to have broken divers gaps, and plodding at my conies, first, having caused his hounds to be rated, I commanded him to depart, together with Birde (Savage's man), in his company; Whereupon, the boy, giving not only lewde words, but also threats, I pulled a horn from his neck, and offered with the string to have given him a jerke. But, perceiving his fellow nestling himself towards me, with the horn I gave him a blow; and so, casting the boy's horn again unto him, I willed them to depart my ground with speed; and, crossing the close to the path, I met with Wynton, whom "I charged with his injurious dealings, and that he seemed to make my warren, chase, or at the least common." He answered, he came "to make home deer." Whereunto I said, "Although it be wholly untrue, for there neither are, nor any have been there a good while: yet if there were, you may not hunt my free chartered warren, but that if default of mounds be, if it were by my default, it should be amended; if by his, he might look better thereunto." He answered, he "must hunt those grounds." I answered, "I think not that best for you to do, for that I would not lose the right of mine inheritance, but defend the same as I would my life and body, as I lawfully might. But it is thou, Wynton, that procureth these dealings, thou makest common of my grounds, both with cattle and hogs, and all other disordered means. But take this for a warning, and provoke me no farther, nor interrupt me in mine inheritance, more than I disturb you in your Chase, or other places in your charge." And so we departed.

On the Thursday night, at 12 of the clock, I, being in bed, and in sleep, as I hear by my servant's report, and by Savage's confession understood, Savage, the Ranger of the Chase, bringing with him 15 other persons with bows, forest bills, and long picked staffs, came into my grounds, my Warrener at that time being in my warren; and perceiving by their noise that hunters were entered, as he supposed, came home to the house, and called up my servants, saying, that "hunters were come to hunt my grounds." Wherewith 3 of his fellows came out with staffs with him, before his return they having cast off hounds, blowing horns, and making hallooing, and loud cry, had begun their hunting, shogging down to the wood close, wherein the gully between both woods, my servants overtook them: and Jenkins, my servant, asked, "What good fellows are there?" They answered, "Here are good fellows." Jenkins said, "What make you here?" They answered, "We hunt the grounds!" "What," said Jenkins, "this is my Master's several grounds; here may be no hunting suffered, and therefore depart." "Nay," said they, "we have, and will hunt Salden." Jenkins said, "Neither you may, nor shall hunt, and therefore stand." There appeared but three at this speech, but immediately came leaping in at a gap out of the wood the whole company, and environed my men; and Underwood, the Keeper, struck at my servants, and an arrow was shot, wherewith Bartelmew Cornishe is wounded;

and so, without any farther speech, the fray began ; in which are hurt of my men, Bartelmew Cornishe in the thigh with an arrow, and in the head with a forest-bill ; and Jenkins, thrust into the breast with the pike of a bill ; and Richard Howse, on the head with a forest-bill : many arrows were by them shot, as well forked-heads, as other. In the end, by the coming of 6 other of my servants, their fellows were rescued, Savage stricken down and taken, divers of their company hurt, and the rest fled away, leaving Savage behind, who was brought to my house, and there dressed, and used in the best manner I could devise, and being by me charged of his evil dealing, answered, he “ would not have done it, if he had not been commanded by the Lord Grey, whose last words to him in Wales were, that he should hunt Salden,” with other like speeches.

That they came of purpose appeareth by their company, and also for that Underwood had armed himself, with sheetes and clothes for his defence.

Their whole hunting in my free warren was injurious, and sythe Wynton, Keeper of that walk, by his own confession, was gone to bed, after the making in of his charge, and finding no foyle nor fault, but called up by Savage and the rest, it appeareth that their purpose tended not to make home deer, but to spoil my warren, or some like intent.

The speech of Gwynethe, who, in his bed before witnesses, confessed the purpose of their coming to be either to hunt, or receive hurts, maketh shew of their meaning.

My Lord Grey's men hath continually since used their hunting, and other provocations, to divers persons enforcing quarrels, if any acceptation would have been made.¹

The examination of Henry Warrener, alias Lyfolly, Bartholomew Cornishe, Thomas Jenkins, Richard Howse, John Aborowe, Edmund Ayre, and William Symonds, taken at Aylesbury the 6th day of October, the 15th year [1574] of the reign of our Sovereign Lady the Queen's Majesty. Before Sir William Dormer, Knight, and Michael Blonte, Esquire, Justices of Her Majesty's Peace within the County of Buck, upon certain Interrogatories on the party, and behalf of our Sovereign Lady the Queen, as followeth : —

The examination of Henry Warrener.

To the first Interrogatory he saith, that he doth well remember, that upon a Wednesday, (not knowing what day of the month it was), when Thomas Birde and William Wynton, being in Stafford's fields within the parish of Murrefley, in the foresaid county, that his master, Mr. John Fortescue, and Mr. John Fortescue, his kinsman and servant, James Foorde, William Dodd, Richard Howse, and this examinant, all these came into the foresaid field ; and, being in the field, Mr. John Fortescue, his Master, commanded this examinant to go and stay the above-named Thomas Birde and William Wynton, the which he did upon his Master's commandment. And coming to them, willed them to come back, and speak with his Master ; they refusing so to do, saying, that their “ Master was not there : nevertheless, if he were there, they would stay till his Master came ; ” and seeing his Master, they went back towards him. And being come together, this examinant's Master willed them to go out of his ground, for they should not hunt there without his leave : whereupon they departed, and went towards the Chase, where old Wynton stayed upon the bounds of the Chase, the boy, young Wynton, running away a great pace, and his Master, Mr. Fortescue, following him, till the boy came

¹ Domestic, Elizabeth, vol. 92, No. 34. State Paper Office.

to the Chase, this deponent coming after a good way ; so that he heard not what talk was between his Master and the other at their departure, but for any assault there at the beginning, or ending, he can say nothing. Nevertheless, he confesseth, for his part, that he had then presently a pike staff on his neck seven feet long, James Foorde, and William Dodd, having bows and arrows ; but for what purpose, or by whose commandment they came out, he knoweth not.

To the second Interrogatory, he saith, that upon the Thursday next, his Master, being accompanied with 7 of his men, viz., Mr. John Fortescue, his kinsman, with a cross-bow ; John Barber, with a cross-bow ; William Dodd, with a long-bow ; Thomas Jenkins, with a staff ; William Symonds, John Heyward, and himself, with others, whose names he doth not remember, neither remembering what weapons they had, only himself having a picked staff. All these went to Murreasley Grove about 2 of the clock in the afternoon, and there remained up and down by the space of 2 hours, or thereabout ; but they had no hounds, nor took no standing to shoot at anything to his knowledge, but so returned home again, not remembering any words spoken there, either of the keepers, or of my Lord Grey's men.

Item : he saith, that he never knew his Master do the like in hunting, or walking, in such sort to the said grove, before this time.

To the third, he saith, that he, with Jenkins, and Richard Howse, being in his Master's warren the same night, he heard, about 10 of the clock, a great noise of horns and hounds, and whooping of men, by estimation 20 score, from his Master's house, in a piece of ground of his Master's called Myller's Close ; whereupon they went all three home, to call for their fellows ; whereupon they went with him these following, viz. William Symonds, with bow and arrows ; Edmund Ayre ; Bartholomew, with a staff ; James Ford, Mr. John Fortescue, and William Dodd, with bow and arrows, Richard Howse, having a black-bill : all these, except John Fortescue and William Dodd, who came after the fray was ended, went together to see what this noise meant. And Jenkins, with Cornishe and Howse, overgoing the rest, this deponent coming after, found a fray begun, but who was the beginners thereof he knoweth not. Notwithstanding, he and the others before-mentioned, (except those before excepted,) took part with their fellows at their coming in ; but whether their Master had any knowledge of their going forth, he knoweth not, for that he neither saw him, nor heard him speak.

To the fourth Interrogatory, he can say nothing, more than commonly he himself, with Howse and Jenkins, when he is at home, do use to walk in the night the warren grounds of his Master.

To the fifth, he saith, he hath oftentimes before met with the Keepers, having no other words between them than friends ought to use.

To the sixth, he saith, to his knowledge, none did levy hue nor cry, neither heard he any there, by word, bid keep the Queen's peace ; but found them fighting, and so took part with his fellows.

To the seventh, he saith, he did know Wynton's son, and one Philip Birde, who he saw the day before the fray began ; and the boys he had seen at other times before, and he thinks they came to hunt in their deer into the Chase ; but he knoweth not John Gwynneth, for that to his knowledge he never saw him.

To the eighth, he saith, when the keepers came into the ground of Salden, there was these sorts of warren game that he knew of, viz., partridge, pheasant, hare, and conies, all being his Master's game, this deponent and Barber having the charge of the same warren.

To the ninth, and laſt, he ſaith, that hitherto he hath been found, ſince his coming to the jail, as he hopeth, at the charge of his Maſter, and ſo truſteth his Maſter will henceforward pay his charges.

The Examination of Bartholomew Corniſhe.

To the firſt, he ſaith, that he was not with his Maſter, till his Maſter was ready to depart from old Wynton, which was upon the edge of the chaſe in Stafford's field, and there he heard his Maſter give this charge to him, and to the reſt of his men, "that if any of the Keepers come any more hither to hunt, diſcharge them; and if they will not be diſcharged, bring them before me." And there were preſent when his Maſter ſpake theſe words, Mr. John Fortescue, Henry Warrenner, and Richard Howſe, and no more to his knowledge. To the reſt can ſay nothing.

To the ſecond, he ſaith, he can ſay nothing, for that he was not that day with his Maſter.

To the third, he ſaith, that he firſt knew of the Keeper's hunting in His Maſter's ground by the Warrenner, and Richard Howſe, the boy, who came and called him and his fellows; whereupon this deponent, and Thomas Jenkins, William Symonds, Edmund Ayre, and Mr. John Fortescue went towards the Keepers, where the noiſe was, which was in a Cloſe called Barnabie's Cloſe, (ſo called for that one Barnabie doth rent it;) and being there together, they aſked, "What good fellows have we there?" They anſwer, "Here are good fellows." "Ye ought not to hunt here," ſaith we. "They answered, "We have hunted here, and will hunt here;" and therewith fell together to blows, without ſaying on either ſide, "Keep the peace," or making either hue or cry. And more than this he knoweth not.

To the fourth, he ſaith, that no man did watch, to his knowledge, but the Warrenner and his boy.

To the fifth, ſixth, ſeventh, and eighth, he can ſay no more than already he hath ſaid.

To the laſt, he ſaith, he hath been found during the time of his imprifonment at the charges of his Maſter, as he thinks.

The Examination of Thomas Jenkins.

To the firſt and ſecond, he can ſay nothing.

To the third, he ſaith, that he, this examinant, Henry Warrenner, and Richard Howſe, being abroad in their Maſter's warren, as they were accuſtomed, heard a great blowing of horns, and ſhoutings of men, near his Maſter's houſe, about 12 ſcore off, or thereabout, to his judgment; whereupon he, this examinant, and the other two, went home, to ſignify the ſame unto their Maſter; but when they did underſtand their Maſter was in bed, they called divers of their fellows, viz., Bartholomew Corniſhe, William Symonds, Edmund Ayre: theſe went forth with this examinant, and his fellows, towards the place where the hue was; and when this examinant, and his fellows, came to the place where the noiſe was, they found that the makers of the noiſe were gone back: then, upon another ſhout, this examinant and Corniſhe followed them further, and in that manner they followed the noiſe-makers, from place to place, almoſt three quarters of a mile, until they came to a cloſe of Mr. Fortescue's, called Barnabie's cloſe, where the ſaid noiſe-makers did ſtay. Then this examinant did call unto them, and ſaid, "What good fellows are there?" They answered that "they came to hunt;" this examinant told them, that "they might not hunt there, nor ſhould not." They answered that "they came to hunt, and would hunt." Whereupon the fray began, Birde (Mr. Savage's man) drawing his bow, and ſhot at one of

his fellows; and at the end of the fray, Mr. Savage, a gent of the Lord Grey's, was found upon the ground, hurt; the which Mr. Savage was taken by this examinant, and his fellows, and led home by them to their Master his house, whereby they knew that the residue of Mr. Savage's company were the Keepers of Whaddon Chase, and the Lord Grey his men.

To the fourth, fifth, sixth, seventh, eighth, and ninth, he can say nothing, otherwise than that which is said before, more than to the sixth article, he saith, that there was neither hue nor cry levied by any, nor nobody bade keep the Queen's peace.

The Examination of Richard Howse.

To the first and second Interrogatory, he can say nothing more than that before is said by Henry Warrenner.

To the third, he saith, that he, this examinant, was abroad in the field with Henry Warrenner, and that they heard a noise of horns, and a great noise of men shouting, about 12 score from his Master's house; whereupon he went with the Warrenner to his Master's house, to call forth his fellows, and there came forth with them Thomas Jenkins, Bartholomew Cornishe, Edmund Ayre, and William Symonds, and the Warrenner; and they went all together to the place where they heard the noise first, and they found nobody there, for the noise-makers were gone back. Then this examinant, and his fellows, heard the like noise again further off, about the length of half a furlong, to his judgment; whereupon this examinant went, with his fellows, towards the noise, and always when they came to the place where the noise was made, they found nobody, and thus they were led from place to place after the noise to the quantity of three quarters of a mile, or thereabout, to a place called Barnabie's Close, being in the tenure of one Barnabie, whose cattle went there the same time. Then two of this examinant's fellows, viz., Bartholomew Cornishe, and Thomas Jenkins, overtook three of the men that made the noise. And this examinant, and the residue of his fellows, followed their two fellows that were gone before, and they found them fighting with twelve or thirteen men, to his judgment; and then this examinant took part with his fellows till he was stricken down, and afterward he could not tell what was done; and more than this he knoweth not, as for any that bade keep the peace, or made hue or cry, he heard not. To the residue of the Interrogatories he can say nothing.

William Symonds being examined, saith to all the Interrogatories as Thomas Jenkins hath said, saving to the third, he saith—

That where[as], he, this examinant, came to the place where the noise was made, by blowing of horns, and shouting of men; that they found the noise-makers gone, and they fled from them, from place to place, until they came to a place called Barnabie's Close (a piece of ground that hath been let to one William Barnabie, by the space of 5 or 6 years), and whether he occupieth it still or not, he knoweth not, and there Thomas Jenkins, and Bartholomew Cornishe, being somewhat before the rest, began the affray.

Examination of John Aboroe, alias Browghe.

To all the whole matter he can say nothing, more than that at the beginning of the affray, he saith he was in Mr. Fortescue's house, having there a brewing to brew for Mr. Fortescue; but what was done abroad among Mr. Fortescue his men, he knoweth nothing; and the next morning he went home to his master, Mr. Dorrell's house, and there did remain till such time he was committed to the jail; and

at whose charges he is now during his imprisonment he knoweth not, but faith, if it be at his own charges, he is undone.

The Examination of Edmund Ayre.

To the first and second, he faith, he can say nothing, for that day he was not with his Master, but was on hawking.

To the third, he faith, that about 11 of the clock in the night, the Warrenner Jenkins, and Richard Howse, came, and called him out of his bed; and after he was risen, he, this examinant, went after the said Warrenner Jenkins, and Howse, who were gone forth before, and found those three dealing of blows with certain men, who he knew not, in a place called Barnabie's Clofe; and there he took part with his said fellows, till such time the affray was done: the which being ended, both he, and his fellows, went home, leading Mr. Savage with them.

To all the rest he can say nothing, neither doth he know at whose charges he doth here lie.

WILLIAM DORMER.

MICHAELL BLOUNTE.¹

A Declaration of the Controversy betwixt me, the Lord Grey, and John Fortescue, unto the Right Honourable and my very good L.L. the L.L. of the Privy Council.

It may please your L.L. Mr. Fortescue hath a manor in the County of Buck. called Salden, the grounds whereof, on the one side, but with a hedge, are divided from the Chase of Whaddon, into which daily the deer of the said Chase do feed and fly. Now hath it been a continual custom, time out of mind (as hath been, and is well to be proved), the Keepers, with hound and horn, to hunt and to make in the same, without any resistance, or just gainsaying: till that about Shrove-tide last was a twelvemonth, (as I remember), the said Fortescue came one day unto me, in the Chamber of Prefence at the White Hall, with a great complaint, that my Keepers had used him very evil in the hunting his said grounds at Salden, and killing of deer out of the same. Whereunto by me was answered, that "if they had there hunted to kill, I would not like of it, but would see it redressed. Marie, that if they had but hunted to fetch home the game, that then he was not to mislike with that, for that himself did know the Keepers ever to have used the same." Whereunto he, the said Fortescue, replied, that "they should do neither, for that he had a charter, and that he would be as able to defend the right thereof, as I the right of my office." Whereupon I, finding the cowlder and curtizer I was, the warmer and braver him to wax, could no longer forbear; but with some unseemly speech here to be recited, though seemly then enough for him, did flatly tell him, "it should be hunted as it had been, till law had otherwise ordered the right of his charter to be better, than that of the Chase's prescription; and that I knew what Fortescue was well enough." To which he answered, "that he also knew what the Lord Grey was;" and so flung away.

A two or three days after, I, not seeing Mr. Fortescue in any other place, not well brooking his last short speech, finding him in the Chamber of Prefence, told him, that "I had to speak with him, and

¹ Domestic, Elizabeth, vol. 92, No. 35. State Paper Office. In the printed Calendar this paper is dated October 6, 1573.

prayed him to go aside with me out of the Chamber ;” the which he doing, “I did challenge him for his whott¹ and short speeches before used unto me ;” who did, with such curtesie and reverence therein satisfy me, as more could not be craved, and from the quarrel, entering into talk of the making in of his purlieu, with great friendship, as I thought, ended thus ; that I should “continue the wonted manner of fetching home the game, but not to hunt for the killing of any deer out of the same :” and so we parted, my Keepers having ever since, without any fault found, or resistance, accordingly hunted it. Till now, the 10th of August last, (I being then in Wales,) the Keeper’s boy of that side, finding deer to have gone out, shooke off his hound, and followed the same to make them home again : the boy thus hunting, Mr. Fortescue himself came unto him, and forbade him the hunting of it any more, with great words, that “whosoever did adventure again, should be made to repent it.” The boy brought word of this to one Savage (my Leiveteñnt² there ;) whereupon the next morning himself did go to Mr. Fortescue, (then at his house of Salden,) and speaking with him, told him, that he was “come to know, whether he had forbidden the boy to hunt Salden, and used such threats, or no.” Mr. Fortescue affirmed that “he had done so, and that again he did forbid him the same at his peril.” Savage answered, that “what peril soever there were in it, he must, according to custom and orderly, make home the Queen’s game, otherwise that he was sure to have but small thanks at his Master’s hands, and wished that he might do it with quietness rather than otherwise.” And, so, without any other worse speech of either side, Savage took his leave of him.

The next day, being the 12th of August, in the morning, comes the boy that was wont to hunt that purlieu, to Savage, (who was ready to ride about certain business from home for that day,) and told him that “there were deer gone into Salden, but that he durst not alone go to hunt them home :” whereupon, Savage willed an under Keeper of his to go with him. This Keeper, with the boy, about 2 or 3 of the clock in the afternoon, did go and hunt that purlieu ; and having done, and being a quarter of a mile on their way homeward, 2 of Mr. Fortescue’s men, with staves, came running after them, and called unto them to stay ; and having overtaken them, told them, that they “must come to their Master ;” which the Keeper refusing, after multiplying of some words, and a shew to have offered force, Mr. Fortescue’s men returned back in great haste ; the Keepers, on the other side, made homeward : but they had not gone 2 furlongs, when the same fellows, the one of them having changed his pitchfork into a bill, had crossed them, and overtaken them again, and then did flatly say unto them, that, “whether they would or no, they should go with them to their Master.” “Why ?” quoth the Keeper : “where is your Master ?” “On the other side of the hedge,” answered Mr. Fortescue’s men. “Why, then,” said the Keeper, “we will go, but to his house I would not have gone.” Which no sooner spoken, but comes 6 or 8 more of Mr. Fortescue’s men, with bows and staves, towards them, and by force took their staves from them, with the loan of some blows : and then Mr. Fortescue himself, in great haste and rage, comes over the hedge, and first flies upon the Keeper, and bestows on him divers blows ; then, espying the boy, forsaking the other, did fall to him, and having beaten him well, did command his men to take and hold him, whilst he might cut his points to whip him. Then the Keeper stepped forth, and prayed Mr. Fortescue “not to deal so extremely :” where-with Mr. Fortescue, more enraged, left the boy, snatching a great bass horn from him, and therewithall did beat the Keeper again ; the boy this while, being let go, ran away as fast as he could go. Mr.

¹ Hot.² Lieutenant.

Fortescue, seeing that, leaves the Keeper, and courses himself after the boy, even to the Chase hedge, where, finding the boy's father, after many knaves called, and great threats, that "he, or whosoever else of my Keepers or servants came upon his ground should be killed;" and withall turned him to his men, and "gave them open commandment to kill whomsoever came to hunt his grounds, and that he would bear them out:" this spoken, the Keeper was let go, and so this day's page¹ ended.

The next day, being Thursday, and the 13th of August, Savage came home about 7 or 8 of the clock at night, to whom report being made of the former day's hunting, seeing the extremity that was shewed, and fearing that an hour's delay now of hunting that purlieu might prejudice the title of continuance thereof more than a week's forbearing another time, presently took, besides two Keepers, 5 or 6 of my own men, being weaponed all with staves, saving one bow and one bill; and going to the purlieu, did send into the grounds with the hounds but the wanted boy with 2 Keepers, he staying with the rest under the hedge for rescue only of the hunters, who were not gone 2 bow shot from their company but were set on by 5 or 6; and the Keepers, seeking, as they were commanded, to retire themselves to the place where Savage lay, one of them being not able to hold foot with the other, was driven to turn, and call to his fellows to stay with him; which he no sooner had done, but 2 or 3 lighting upon him, was stricken down. Now Savage, hearing that the fight was already tried there, came forth with his 6 or 7, where he found at the least a 20 to encounter him, whereof 8 or 10 had bows. So 4 of mine were very evil hurt, and one to the death, as since is fallen out; and thus have your L.L. the cause, the beginning and ending of this riot, whereby a subject hath lost his life.

Now, it may please your L. L., I, being advertised hereof in Wales, did straight make my repair home, and having by examination found out the circumstance of the matter before discoursed, and seeing divers of my men in danger of death, and knowing the right of the cause to apperteyne to Her Ma^{tie}. and consequently the offence and injury to return unto her, I thought my duty with most discretion discharged in seeking redress by due course and order of law. And so, upon information to the Justices gate of Privy Sessions (though for the assembly of Justices, whatsoever the adversary untruly defameth, might have been at Quarter Sessions), to be called: At the which by honest, substantial, and indifferent Jury, what untrue report soever is given to the contrary, Mr. Fortescue, and certain of his men, his father-in-law being present from the beginning to the end, with liberty and leave to speak and alledge what he could in his or any of their behalves, as very often he did (a favor yet seldom permitted in cases against the Queen,) were of 12 riots indicted, In the first of which, Mr. Fortescue himself is a rioter: In the last whereat so many were hurt with peril of death, it is found to be committed by Mr. Fortescue's commandment. Since time of which Indictments, one of my hurt men, being, indeed, dead, I minded, according to equity and justice at this Quarter Sessions, to have sought redress of so heynous a fact as the killing, or rather murdering, of one of her Ma^{ties}. subjects cometh to. But being countermanded by your L. L. letters in her Ma^{ties}. name, would not seem to have them in so small regard, although (under your L. L.'s correction, and dutifully do I speak it,) that both I had wrong to be so restrained from Justice, and also that lawfully for all those letters I might have proceeded to the calling for Justice, and the same not to have been denied me, as doth well appear, as I take it by a Statute of A^o. 2 Ed. III. Cap. 9, if I do not mistake it. And surely, my L. L. to see mine Adversary, whom not only for calling, but also for well-deserving of prince and country, I may, without arrogance, (I trust), not only match,

¹ Quæry, Pageant.

but somewhat better : to see him, I say, so much favoured in an evil cause, and myself, in seeking of Justice, so lightly accounted of ; besides, the wrong doth bring no small grief unto me ; I am, therefore, humbly to beseech your L. L. that as your letters to prohibit the proceeding in Justice have brought me the wrong and disgrace I justly complain me of, your L. L. will now, by your letters again to the Justices of the shire for the speedy proceeding in Justice, and calling of a Sessions, redress unto me the said endured Injury, I humbly end.¹

AR. GREY.

Lord Grey, failing to receive satisfaction from Her Majesty's Council, now took measures to redress himself.

*Complaint of John Fortescue to the Council.*²

May it please your Honors. On Tuesday, the last of November, the L. Grey, together with one John Zowche, came by ix of the clock, accompanied with xii serving men of purpose, and tarried in the shop of one Lewes, a cross-bow maker, above one hour, sending diverse times out a lackey to bring word of my coming ; his men were laid divided on every side of the street a little beneath Temple Bar, towards the Court ; and at x of the clock, or rather after, I came out of Chancery Lane on horseback, with v men, unprovided both myself, and my men wholly by means of the commandment by my Lords of the Council delivered unto us both at Greenwich ; And passing on, the L. Grey's lackey brought word I was coming ; whereupon they, all ready, my L. suffering me to pass, strake me on the head so fore, that I was astounded, and fell from my horse, saying, as the standers by do report, " You have spoiled me : " Whereunto he answered, " Nay, villain, I will have my pennyworth of thee ; thou shalt not scape so : " with many other like speeches ; striking, when I was down, divers blows, which partly were by me with mine arm and cloak borne, and diverse broken by a serving man called Harry Clerke, who took the crab-tree truncheon out of the Lord Grey's hand, and brake a thrust that one of the L. Grey's servants, called Tymothie, cast to have slain me withal : Some of the servants of one Hearne plucked me up, and pulled me into an entry, where, Zowche thrusting at me, I had been slain, had not the said Hearne's man broken the bow with a yard, where I staggered, and, not able to come to myself, was pulled into the house, nor could see, or discern any man, a pretty space : His men, all provided, set upon my servants, and ij of them are very dangerously hurt, and had been presently slain, if the rescue of the street had not been : All this, with many other circumstances of the matter, may be perfectly known to your Honors by the testimony of diverse gentlemen and inhabitants of the said street : Wherefore I most humbly pray you that you will take order for my safety, for that I am farther informed, that the said L. Grey hath appointed another compact for the murdering of me and my servants, which hereafter will appear : Most humbly praying your Honors that Lawrence Hollinghedde, Thomas Wake, and John Savage, may be sent for, upon whose examination the truth of much more foul matter will appear."

The State Papers here end abruptly, without informing us whether Sir John went to law to punish the assailants, or whether he, like Lord Grey, took his redress into his own hands. We find, however, that his assailant was soon after a prisoner in the Fleet, as appears by the following letter :—

¹ Domestic, Elizabeth, vol. 92, No. 36. State Paper Office, A.D. 1573.

² Ibid., vol. 93, No. 1 ; date in Calendar, A.D. 1573.

My very good L. It is not too be dowghted but y^t Fortescue wyll infooirme any thyng for y^e bettering of hys ryght & obtaynyng of hys wyll, yf woordes, how ever strayned maye serve the turne. But my L. I humbly beseetche you too confidre y^t the matter doothe no lefs tootche myne enheritance then hys, and as hee doothe clayme & enfourme mootche for y^e goodnes of hys charter, so yf my speeatchies maye as well bee accepted as hys (as I trust there is no cause but they shuld) wyll I saye no lesse for y^e liberties of myne office & bee also able, I dowght not, too make as good prouffes of the same. If hys clayme of Charter bee allreadie good in lawe (as hee avowes the Judgies too affirme) what needes hee to seeke renovation of that w^h is perfect allreadie? I dezyre but lawfull tryall of owr tytles & as theyr goodnes shall fall owte & bee adjudged content myself, make it w^t mee or agaynst mee; why shuld not hee also bee so. Ootherwyse I can not assent too parte w^t any parte of myne enheritance. Hyr mat^{ie}. I knowe, at hyr pleasure maye take not onely liberties, but office sellf & all from mee & dyspoze of eyther at hyr lykinge and in trowthe my L. (dutyfully I boathe speake & meane it) as well maye the one as the oother be doonne, for yf the office bee myne, no lefs is my ryght in y^e privileges therof./ And surely yf that libertie had not ever beelonged therunto & been so mayntayned, in vayne had the grownde been appoynted for deere, & as vayne wyll it bee too keepe it styll too y^e same use yf the same libertie bee taken from it./ I humbly praye your L. too waye this my cause by that of your owane & oothers who have enheritancies of lyke officies, & assist mee heerein leaste perhaps my president maye one daye prejudice (though not yowr L. sellf, & oothers now in authoritie) yet those y^t shall coome after yow & them, they happely bearyng as lyttle authoritie as doothe now mysellf./ Thus as yowr L. wyll, I have signified the full of my mynde herein./ I am now too sheow your L. that the fyrst newys of my L. of Hunfdoon hys havynge of my nephew dyd no lefs damp & grieve mee, then the former message yt pleased yow too send mee, of the care y^t yowr sellf woold have of hym dyd rejoyce & dysburden mee of the care & feare, naye rather dyspayre, y^t now I have of hys well dooyng. Yet good my L., thowghe the chyelldes hard hap bee footche as too fall intoo foutche custoodie, as hys spoyle, for want of brynging up, is greatly too bee feared, order it so y^t hys land yet fall not intoo the same handes to abyde a more certayne daneger of spoyle. So beetaking boathe care of this as also myne owne enlarging too your L. favorable remembrance, I humbly take my leave./ From y^e Fleete this xxixth of martche a^o 1574./

Your L. assuredly whyllst I lyve

A. R. GREY.

Addressed:—"Too y^e ryghte honorable my especyal good L. the L. Burley Hyghe Threazurar of England geeve this/"

Endorsed:—"j. mar. y^e L. Grey to my L. frō y^e flete. Concerning a title between him & Fortescue: about an Inheritance in an office w^{ch} hee held of y^e Queen. xiv."¹

A few years after the death of his first wife,² Sir John married again, to Alice, daughter of Christopher Smyth, Esquire, of Annabells, by whom he had an only daughter, Margery,

¹ Brit. Mus. Lands. MS. 18.

² See Funeral Certificate in College of Arms.

married to Sir John Pulteney, of Mifferton, in Leicestershire. In Chamberlain's Letters to Dudley Carlton, he writes, June 27th, 1602 :¹—"One Poulteny a younge gentleman of Northamptonshire marries Miftrefs Padge Fortescue."

He had before acquired the entire Salden estate, and had begun to build a mansion there on the site of the old Hall, which was included in the new buildings. It was styled by the topographers, "the finest house in the county," and "a most magnificent seat."² "It was built round a court or square. The width of the principal front was one hundred and seventy-five feet, with a balustrade at the top; and nine large windows on a range gave it the appearance of a palace. The second front, with an equal row of windows (in the middle storey of which was the gallery of 148 feet, which probably faced the garden) was little inferior to the former. In this gallery-chamber, or dining-room, was an alabaster or marble chimney-piece, which was justly admired for its curious workmanship. The height of the mansion to the top of the chimneys was 70 feet. The building was of excellent masonry in the brick and stone work. About 33,000*l.* were expended upon it, in itself a large sum, but remarkably so for the time; although some of the rooms are not finished, and notwithstanding that the carriage of the materials, and the timber, were found by Sir John."

He adorned the windows with coats of arms in stained glass, representing the various marriages of himself and his ancestors with other families. These are detailed by Brown-Willis.

The grounds adjoining were laid out in terraces with fish ponds, fountains, and a bowling green. The situation is on a rising ground commanding a rich and extensive view of the lower districts of Buckinghamshire and the adjoining counties for many miles; the immediate neighbourhood is undulating and pastoral.

Here the statesman lived for many years in much state and with large hospitality; his servants were said to be sixty in number, and the windows of his house so numerous that one of them had little to do besides opening and shutting them. One bullock daily was killed for the supply of the house when filled; and it employed within its walls a butcher and a baker. In a field, still called "Beggar's Mead," near the house the broken victuals that were left were every day served out to the poor.³

Sir John's first entrance into Parliament⁴ was into that of the 14th of Elizabeth which met on May 8th, 1572; he having been elected a burgess for the borough of Wallingford, a town near his own part of Oxfordshire.

The chief business of this his first session was connected with the designs of Mary Queen of Scots on the crown of England; but his name does not occur in the very meagre reports of Parliamentary proceedings which are preserved.

We meet with it for the first time in the Session of the 23rd of Elizabeth, 1580;⁵ when

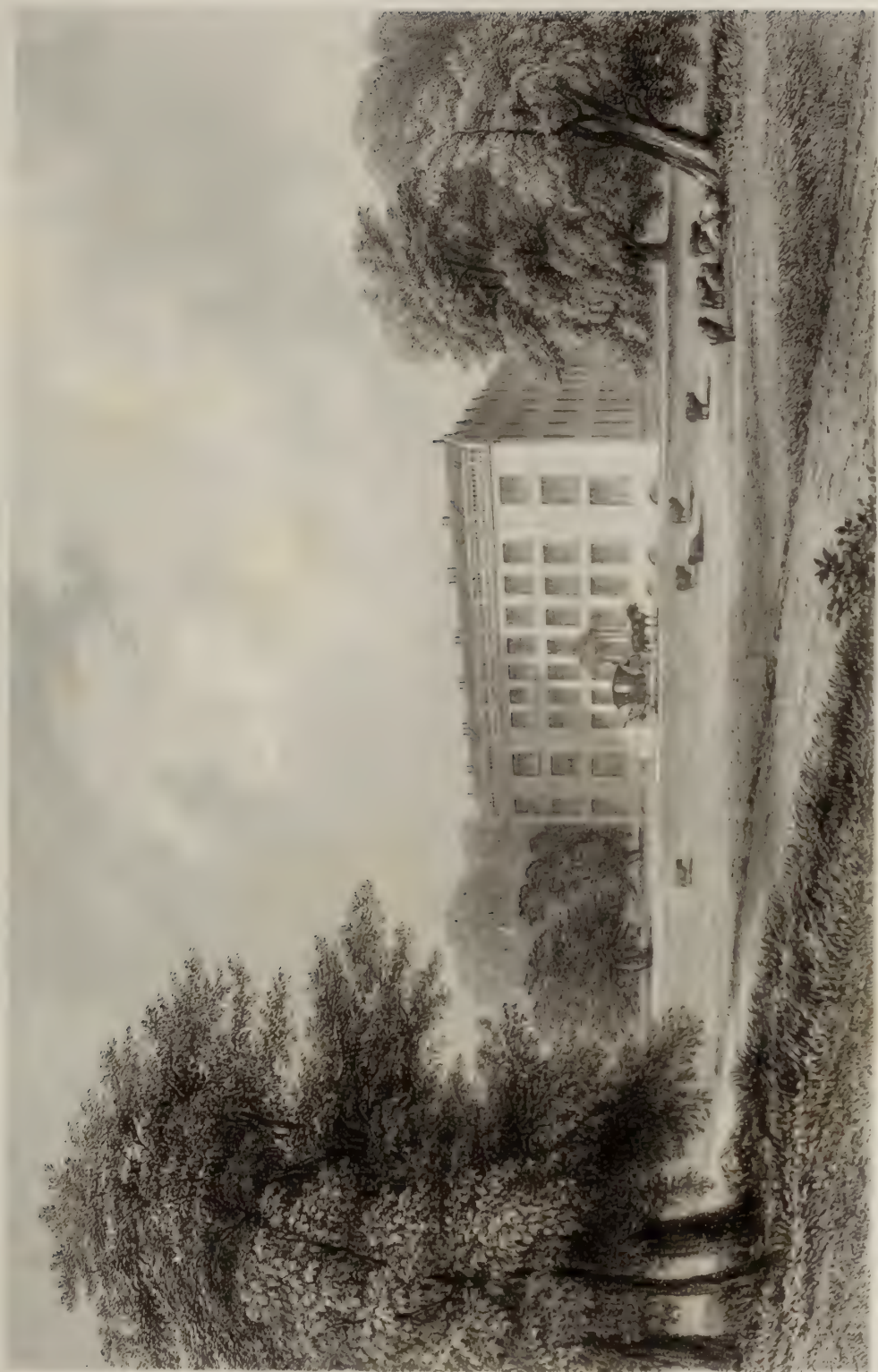
¹ Printed by Camden Society.

² Bucks Records, vol. i.; Brown-Willis's MS. and Cole's MS.

³ Horn in Bucks Records, vol. i. p. 96.

⁴ Willis's Not. Parl. vol. i. p. 67.

⁵ D'Ewe's Parliaments of Elizabeth, p. 288.



he, as "Mr. Fortescue, Master of the Wardrobe," is on a Committee to consider what measures ought to be taken to enable the Queen to defend the realm against the treasons of the Pope's adherents, and especially to suppress the rebellion in Ireland. It must be remembered, so slight and fragmentary are the records of what took place in Parliament at that time, that a member may have often taken a part in the debates without any mention of the fact appearing in print.

In the next Parliament, which met for the first time on the 29th of October, 1586 (28 of Elizabeth), he sat for the town of Buckingham,¹ the Salden purchase having now given him influence in that quarter.

"The Parliament was called," says D'Ewes, "for no other cause or ground than the timely and strange discovery of that bloody treason plotted by Babington and others for the cutting off of the Queen's life, of which Mary Queen of Scots had been by a most just and honourable trial fully convicted."

Accordingly, on Friday the 4th of November, after much debate on "the great cause," a committee of the Commons was named to confer with the House of Lords "on some convenient and fit course to be taken in that behalf." Fortescue was one of this committee.²

He soon after is on a committee to inquire into the oaths required to be taken by Ministers of Religion, and "to confer upon some good course to be taken to have a learned Ministry."³

And on the 18th of March he is appointed with the Privy Councillors members of the House, and a few other members, to have audience of Her Majesty, at her desire, upon a benevolence to be granted to the Queen "in regard to her charges sustained in the Low Countries."⁴

In this instance he is styled "Mr. Fortescue, Master of the Requests."

The execution of Mary Queen of Scots took place at this time, namely, on the 8th of February, 1587, at Fotheringay Castle in Northamptonshire. Her body was embalmed, and kept for six months in the room where she was beheaded, and then removed to the Cathedral at Peterborough, where Elizabeth desired that the remains should be buried with Royal pomp, opposite to the tomb of Catherine, Queen of Henry VIII. Her son James I. afterwards removed the body to Westminster Abbey, where it now lies. Among the great officers of State who attended the ceremony on Tuesday the 1st of August, 1587, was Sir John Fortescue, accompanied by his brother Thomas. His two sons, Sir Francis and Sir William, with "the son of Fortescue of Aywood," were three of six "Gentlemen in clokes," who carried the body; while Mr. Fortescue, of Aywood, bore one of the bannerols.⁵

¹ Willis's Not. Parl.

² D'Ewes, p. 394.

³ Ibid., p. 413.

⁴ Ibid., p. 416.

⁵ From a MS. in Sir Thomas Phillipps's collection at Middlehill, and Harl. MS. 1354, fo. 46.

In the next new Parliament, which met on the 4th of February, 1589 (31st of Elizabeth), he sat for the county of Buckingham; while his eldest son, Francis, was returned for the town in his father's place. The invasion of England by the Spaniards in their Armada had happened in the previous autumn; and although the immediate danger was over by its dispersion on the coasts the country was still alarmed, and subsidies were granted to enable the Queen to raise a fleet and army; while she was prayed by both Houses to declare war against Spain. On this occasion Fortescue made the first speech which we hear of. What he said has not been preserved, "being wholly omitted by great negligence of Mr. Fulke Onslow, Clerk of the House of Commons."¹ On this same day, being Saturday the 29th of March, 1589, after Fortescue had taken to the Lords a "Bill of the Queen's free and general pardon," she came down to the House of Lords and dissolved the Parliament, after a single session of less than eight weeks' duration; and did not call another Parliament for nearly four years.

We have evidence to show that before this period Fortescue was employed by Elizabeth in duties more confidential than those of the Master of the Wardrobe. In March, 1587, he addresses, by her command, the two following letters to Cæsar, Judge of the Court of Admiralty. They are the first of his autograph papers which I have met with, although he probably had from the beginning of the reign, while acting as her director in Greek and Latin, been often employed as her occasional secretary.

To the Judge of the Admiralty.

S^r wth my most hartie comendacions her ma^{ty}. being enformed of a cause in controuersie depending before youe betwene one Beckett playntif and Martyn Whight defendante wherein youe have proceeded to Judgment agaynst Whight hath comaunded me to signifye vnto youe that hir pleas^r. is youe stay awarding and making forth execution vppon the said judgem^t vntill such tyme as one Floyer who is the principall partye, and had the goods Beckett seweth for, be brought vp to answer the matter w^{ch} said floyer is alreadye sent for, and hereof hir maty. requyreth you to have a speciall regarde. And thus I comytt youe to the Lords tuicōn. At the Court at Grenw^{ch}. the xj of Marche 1587.

Your assured loving Frende

JOHN FORTESCUE.

Addressed :—"To the right worshipfull M^r D. Cæsar
Judge of hir Ma^{ty}. Court of
theadmyraltie."

Endorsed :—"11^o Martii 1587. M^r. John Fortescue
in her Ma^{ties}. name to stop any
execution that may passe against
White at Becketts sute."²

¹ D'Ewes, pp. 454, 455.

² Lands. MS. Brit. Mus., 158, for this and the next letter.

To the Judge of the Admiralty.

It may please youe that hir Ma^{tie}. hath comaunded me to signyfye vnto youe that where the examynacōn and determynaciō of a cause in contro'fye betwene Nicolas Jhones and one Marchm^s als Sutton is comytted vnto youe, for that Johnes is now employed abowght the repaying and fortefying of port lande Castle and other hir ma^{ty}. necessarye f'vics their, hir pleasure and comaudem^t is that w^h all care and circumspectiō you looke to the Justice and equitye and expedicō of the said cause w^h youe foresee throwghtly to be done and that Johnes be not any way wronged by frendshippe or countenāce of any l^res or other meanes by Marchm^t to be procured nor any ways ov'boren, whereof althowgh hir Ma^{tie}. in resptct of your wisdomes and integrytyes nothing doubteth, yet wold she have knowen vnto youe the especiall care she hath of Justice to be duely mynistred, especially to them whose f'vices hir highnes employeth. And this wth my most harty cōmendacōns I comytt youe to the Lords tuicōn. At the Court at Grenw^{ch} the xj of Marche 1587.

Your assured loving frende

JOHN FORTESCUE.

Addressed :—" To the right worshipfull the Judge of thadmyraltie M^r. D. Cæsar forth' M^r. D. Hamonde and othir hir Ma^{ty}. Comysion's to whome it doth appirteyne."

Endorsed :—" 11^o Martii, 1587 M^r. John Fortescue in her Ma^{ties}. name to heare the cōtroverfy betwene Jones and Sutton w^h all indifferency & Justice."

The Queen had now known him long and intimately. His devotion to her interests, and his aptitude for business were undoubted, and his relationship to her mother's family was with Elizabeth an additional reason for showing favour; he was, moreover, an experienced and influential member of Parliament. It is not, therefore, surprising that he should now at length rise to high office. Accordingly when Sir Walter Mildmay, who had been Chancellor and Under-Treasurer of the Exchequer since 1566, died on the 31st of May, 1589, Fortescue was appointed as his successor. Camden thus refers to the new Minister :—" Sir Walter Mildmay was succeeded by Sir John Fortescue, a very worthy gentleman, and a great master of the Greek and Latin."

He was forthwith made a Privy Councillor, and entered upon the duties of his office, which he held until the accession of James I. The State Papers of the period in Rymer

and elsewhere have frequent mention of his name, associated with those of Lord Burleigh the Lord Treasurer, Sir Christopher Hatton, Buckhurst, and others.

The Queen employed Sir John on a confidential service on the death of Lord Chancellor Sir Thomas Bromley, his brother-in-law, who died on the 12th of April, 1587, soon after the execution of Queen Mary, at whose trial he had presided, having first drawn up the charges against her. His illness and death are attributed by Lord Campbell¹ to his anxiety during the prosecution of "the great cause," as it was styled; to something like remorse at the tragedy to which it led; and to vexation upon finding that Elizabeth showed displeasure towards those who had, against their convictions, lent themselves to be the instruments of her jealous fears.

The Chancellor died at three o'clock in the morning; and the Queen, being informed of the event, sent Sir John between seven and eight o'clock to demand the great seal. The Close Roll goes into grave details on the subject of the transfer of the mysterious and venerated instrument of power. On the death of Bromley's predecessor Sir Nicholas Bacon eight years before, Lord Burleigh and the Earl of Leicester were sent on a like errand.²

In the next year (1591), when there were frequent prosecutions of Puritans, Disciplinaryans, and other Nonconformists, to whom the Queen was at times more hostile than to the Roman Catholics, Fortescue sat both as an Ecclesiastical Commissioner and as a Member of the Court of the Star Chamber. In the latter Court he sat in May with the Lord Chancellor Hatton,³ Archbishop Whitgift, Lord Buckhurst, and others, in the case of Cartwright a leader of Nonconformists who had renounced his orders, and had set himself up as a bishop or pastor, separating himself from the Church. After undergoing imprisonment in the Fleet for several months, he was released with the ready consent of the mild Archbishop, under promise to be quiet, a condition to which Cartwright ever after adhered.

In the same month Fortescue, as an Ecclesiastical Commissioner, with Archbishop Whitgift, Secretary Woolley, and others, hears the case against Robert Cawdry parson of South Luffenham in Rutlandshire, a conspicuous Puritan minister, who was charged with "depraving the Prayer-book, saying that the same was a vile book, and fy upon it," for which and such-like teaching, he was, after "long indulgence and opportunities of submission, deprived, on the 14th of May, Fortescue being one of the Commissioners present."⁴

In the end of this year, upon the death of Elizabeth's favourite, Chancellor Sir Christopher Hatton, Fortescue writes to Sir Henry Unton ambassador at Paris, informing him of the event; but as a fragment only of the letter escaped the fire at Cotton House, it is not printed here, but will be found in the Appendix to this chapter.

¹ Campbell's Chancellors, ii. 134.

³ Strype's Whitgift, ii. 22, 90, 459.

² Ibid., 114.

⁴ Strype's Aylmer, p. 91.

The next Keeper of the Seal was Sir John Puckering,¹ who is said to have entirely relied upon the Chancellor of the Exchequer, as an experienced courtier and man of the world, who could usefully advise one who was looked upon as "a mere lawyer."²

In the beginning of the year 1592,³ Fortescue received the honour of knighthood. "One," says Lord Campbell, "in that age highly esteemed, and conferred only as the reward of long service. I have observed various instances of men being knighted after having been long in the office of Chancellor of the Exchequer, or Speaker of the House of Commons."⁴

In April of that year he was, with Lord Hunsdon, Lord Buckhurst, Sir Robert Cecil, and some justices, put into a Commission to try Sir John Perrot for his conduct while Lord Deputy of Ireland. Hatton was Perrot's enemy, and instigated the charges against him, and they were not abandoned at the Chancellor's death. He was impeached in the first place for having used contumacious expressions towards the Queen at the Council table, saying that she was illegitimate, inquisitive, and faint-hearted; that she was no lover of soldiers, and had hindered him from reducing Ulster; and that "this fiddling woman troubles me out of measure," with other disrespectful expressions.

He was further accused of "fostering Popish priests and notorious traitors," and of holding private correspondence with the Prince of Parma and the Queen's enemies.

Perrot did not deny some of the unbecoming language about the Queen, for which he declared himself sincerely repentant; but excused himself by affirming that the occasion of it was his being hindered from carrying on the good designs he had begun in Ireland.

The witnesses against him were his former secretary Philip Williams, and two others, men of stained reputation.

Perrot boldly and stoutly maintained his own cause against Attorney-General Popham and the other counsel until eleven o'clock at night, and when the jury were about to retire to consider their verdict, he burst out in a passion, desiring them to have a conscience in the matter, and to "remember that his blood would be required at their hands." They, however, in three-quarters of an hour brought in a verdict of guilty.

The Commissioners deferred their sentence for twenty days, and then condemned him to death, most reluctantly, and not without emotion, even to tears; Burleigh saying with a sigh, "that the more unjust any man's malice is, so much the more keen and barbarous 'tis of course."⁵ Perrot did not suffer the penalty of his sentence; and if he had lived, would no doubt have been pardoned; but in September he fell sick and died in the Tower.

¹ Horn, in Bucks Records, vol. i.

² Campbell, ii. 176.

³ Camden, in Kennett, ii. 567. In a Patent of 21st January, he is styled John Fortescue, Esquire. Napier, p. 400.

⁴ Campbell's Lives, ii. 186.

⁵ The account is from Camden, in Kennett, ii. 567, 568; and Campbell, ii. p. 172.

Sir John had purchased or hired a house near Hampstead, where he could escape from London without going far away from his affairs. This was Hendon Manor House, the estate of Sir Edward Herbert, where, says Norden, "Now is often resident Sir John Fortescue, one of the most honourable Privy Council,"¹ when he taketh the air in "the country." He writes from thence at this time a long letter to Burleigh,² the Lord Treasurer, which, as a specimen of his official correspondence, will be found in full in the Appendix, but of which the last part only is sufficiently interesting to give here with a few words of explanation.

A book had been published some years before by Doctor Nicholas Sandars, called "*De origine et progressu Schismatis Anglicani*,"³ hostile to the Reformation and to the Protestant Queen, in which he relates some very gross scandals about her mother, Anne Boleyn; affirming, among the rest, that she was not the daughter of her reputed father Sir Thomas Boleyn, but was actually the child of King Henry VIII., who, in order to intrigue with Sir Thomas's wife with less interruption, sent him on an embassy to France, and in his absence there became the father of her child Anne. Sir John refutes him by an appeal to dates :—

"Your Lordships other letters touch a libellour I never saw, and can no other wise conceyve than your declaracion maketh mencion. I sent to the Audytours of the preft (Imprest) and ferched in the recyte, but I neither could lerne nor find anything : the officer of the pipe who keapeth the record of the Courts of Survey and Augmentations is absent : Hereupon I reforted to seke the cronycles, and find that in the end of the nynth yere of King Henry the eighth the Erle of Worcester being Lord Chamberlyn, the Bishopp of Elye, the Lord of St. John's, Sir Nicholas Vaux, Sir John Pechy, and Sir Thomas Bulleyne were sent into Fraunce Ambassadours to treat the marriage of Frauncis the dolphyn, eldest sonne of King Frauncis the first, and Quene Mary his Majesties sifter ; which they did, and uppon rumoure that the dolphyn was dedde the Bishop of Ely, Sir Thomas Bolleyn, and Sir Richard Weston went to Conyack to see the dolphyn, which they did ; and the Erle of Worcester returned to Tournay to make re-delivery thereof to the Frenchmen ; and was anno domini 1520. And the King was married to her Majesties mother the fourteenth of November 1532. So that the shamles lying of this libellour is most apparent ; for her Majesties birth was in anno domini 1533, and then her mother shuld have ben but thirteen yere old at hir byrthe. What may be farther found out in this matter your Lordship shall have knowledge with all spede. My Lord of Buckhurst I have herewith acquaynted, he will seke all he may anyways finde therein. And thus cravyng pardon of your Lordship for

¹ Norden, in Lyfons' *Environs of London*, vol. iii. p. 4.

² Lansdowne MS., Brit. Mus., 72, folio 193.

³ Published at Cologne in 1585.

my tedeoufe letters, I comende you to the Lord's tuicion, who continew your health with increafe of moch honour. At Hendon the twenty-fourth day of September, 1592.

Your L. moft humble and bounden,

J. FORTESCUE.

Another fubject of Sir John's correſpondence¹ at this time was the diſpoſal of the cargo of "The Great Carrack," "La Madre de Dios," which had been captured in the paſt ſummer. She was very richly laden with ſpices, jewellery, plate, and China ſtuffs, from the coaſt of Malabar, and was the property of the Portugueſe crown. Her crew conſiſted of 600 men. This tall ſhip, which had ſeven decks to her length of 165 feet, was taken, after a gallant defence, by the Engliſh ſquadron under Sir John Burroughs deſpatched from the fleet by Sir Walter Raleigh to look out for ſuch prizes. Queen Elizabeth herſelf, with Sir John Hawkins and ſome of the principal merchants of London, were ſaid to be ſharers in "the adventure." The Engliſh crews helped themſelves to much of the booty; but the Queen made many of them diſgorge their plunder, and inſiſted upon dividing the ſhares as ſhe thought fit. Hence this letter :—

*The Right Honourable Sir John Fortescue to Lord Treafurer Burghley.*²

With my bounden dutey may it pleaſe your L.

According to your direction I have acquainted Her Maſteſtie with the opinion of the Doctours and others touching the intereſt of the taking of the Carrick, and of your L. great care and pains in that cauſe, together with your particular directions whereby the hole matter came to Her Maſteſties determinacion, and that her reſolucion is and muſt be the Lawe in the cauſe; wherein according to my duety I have made knowen unto her your L. eſpecial travell and all my Lls. carefulnes that both in honour and profytt everything is devolved to Her Highnes diſpoſſytyon.

Never the leſſe I was bold of myſelfe to add that Her Maſteſtie ſtoode not unlike an executour in juſtice who muſt diſcharge debts, legacies, and childrens porcions, adding your L. opinyon that hir good and honourable conſideracion was to adminiſter, or utterly overthrow all ſhaire if due regard were not had of my L. of Cumberland, and Sir Walter Rawlegh, with the reſt of the adventurers, who would never be induced to further adventure if they were not princely conſidered of.

And herein I found Her Maſteſtie very princely diſpoſed, as well in good allowance of your L. and my Lls. great paynes and ſervices, as alſo meaning to conſider of the particular

¹ Camden, in Kennett, ii. 569.

² Printed in Archæologia, vol. xxxiii. 237. The ſeal here given is that of Sir John Fortescue.

of my L. of Cumberland and the rest of the adventurers, which thing I think will not be resolved untill your L. comying to Court.

My Lord of Cumberland delivered me an offer here at the Court which I herewith fend your L.

I persuaded his L. to forbear any offer until I might have Sir Walter Rawleighe's; growing doubtful that this being lesse than formerly had ben maid, her Majestie would rest discontented; which opynyon of myn my L. yelded willingly, and this in effect is all that haytherto is done.

Sir Robert Cecill can enforme your L. if any further partycularytye be omytted.

I acquaynted her Majestie of the taking of St. Valdes, from your L. and of Sir Roger Williams being there, and her Highnes both joyfully heard the newes, and lyked your opynyon that he should hold the place, both for the abatymment of chardge, which maybe hoped, but especially for the preservation of her people.

And thus, with my duety remembered, I commend your L. to God who fend yo helth with encrease of much honour.

At Hampton Court this 23 of December, 1592.

Your L. most bounden and always to comaund,

J. FORTESCUE.

To the Right Hourable. and my verie good L.
the L. highe Treasurer of England.



Early in the next year (February, 1593) the Queen, after a four years' interval, called a new Parliament to consider the threatening aspect of Spain, to which Fortescue was again returned for Buckinghamshire. On Thursday, the 19th, at two o'clock in the afternoon, she came down to the House of Lords, and when as "many of the Commons as conveniently could were at length let in,"¹ she commanded Lord Keeper Puckering to inform the two Houses that she had called them together "only for consultation and preparation of aid against the mighty forces of the King of Spain, bent and intended against the realm," and that, therefore, they were not at this time to go about making new laws, because there were many good laws already (more, indeed, than were well executed), and because, if any new laws were wanted, they could be dealt with at some other time.

¹ D'Ewes, Journals of Parlt., 35 Eliz.

Accordingly, on Saturday, the Commons met to discuss the question of supplies, assembling in great numbers; but after waiting some time for the Speaker who did not appear, the Sergeant-at-arms at length brought word that he was sick, and could not come. Whereupon the House adjourned to the Monday, the 26th, when, the Speaker being recovered, they met for business. Sir Robert Cecil and Sir John Woolley having spoken, Sir John Fortescue followed in a speech much praised at the time, but of which we have only an outline, as follows :—

Then Sir John Fortescue spake, and said :—

“They that spake before me, spake sufficiently of the Authors of our trouble, of the great danger which is now imminent, insomuch that as it is come to that point now, *Non utrùm imperare sed utrùm vivere*. I will speak of nothing but that which concerns my Calling. Her Majesty not being only careful for the preservation of Her own Realm, but of her neighbours also; she hath not only defended her own Subjects from being invaded, but also hath aided strangers which wanted Money, with whom otherwise it would have gone ill by this time both with them and ourselves. Insomuch that the burthen of four Kingdoms hath rested upon her Majesty, which she hath maintained with her Purse, England, France, Ireland, and Scotland. For how could the French King at his first coming to the Crown have held out against those Leaguers, had not her Majesty assisted him with her Men and Money, which hath cost her Majesty about a hundred thousand pound? For 'tis well known that the French King had not been able to withstand the Duke of Parma's coming into France had it not been for our Englishmen and Money. As for the Low Countries, they have stood her Majesty in yearly, since she undertook the defence of them, one hundred and fifty thousand pound. All which her Majesty bestowed for the good of the Realm, to free us from War at home. Besides, when her Majesty came to the Crown, she found it four millions indebted; her Navy when she came to view it, she found greatly decayed: yet all this she hath discharged, and (thanks to be to God) is nothing indebted; and now she is able to match any Prince in Europe, which the Spaniards found when they came to invade us. Yea, she hath with her ships compassed the whole world, whereby this Land is made famous throughout all places. She did find in her Navy all Iron Pieces, but she hath furnished it with Artillery of Brasses, so that one of her Ships is not a Subject's, but a petty King's wealth. As for her own private Expences, they have been little in building; she hath consumed little or nothing in her pleasures. As for her Apparel, it is Royal and Princely, befitting her Calling, but not sumptuous nor excessive. The Charges of her House small, yea never less in any King's time. And shortly (by God's grace) she will free her Subjects from that trouble which hath come by the means of Purveyors. Wherefore she trusteth, that every good Subject will assist her Majesty with his Purse, seeing it concerns his own good and the preservation of his estate. For before that any of us would lose the least member of his body, we would bestow a great deal, and

stick for no Cost nor Charges: How much more ought we in this political Body, whereof not only a member but the whole is in jeopardy, if we do not at once hast to the preservation thereof? And for these Subsidies which are granted now adays to her Majesty, they are less by half than they were in King Henry the 8th's time. Now although her Majesty had borrowed some Money of her Subjects, besides her Subsidies, yet she had truly repaid and answered every one fully. He desired the matter might be put to a Committee."¹

Francis Bacon spoke last, commending the Queen's order to abstain from law-making, and hoping that the volume of laws would be lessened, as there were too many for the people to practise, or for the lawyers to understand.

Fortescue was then placed on the "Select and Grave Committee" appointed to consider the dangers of the realm, and the provision of treasure; and he announced to the House, on the next day but one,² that he and his colleagues recommended two entire subsidies and four-fifteenths and tenths to be granted to the Queen, to which the House agreed.

The Lords, however, upon the Bill going up to them, wished for three subsidies, and requested a conference with the Commons, to which the latter demurred, as contrary to their privileges on a money bill. Fortescue was deputed to take this decision of the Peers, and returned with their reply pressing for a conference. The Commons upon this devised an expedient for complying with the Lords' request without compromising their rights, by agreeing to a general conference upon the danger of the State. In the debate which followed, after the conference had been held, Sir John approved of the additional subsidy, affirming that though "he thought it liberal to grant three subsidies, he did assure of his proper knowledge, that three subsidies would not defray her Majesty's charges, though all other Customs and Revenues were added to them."

The House finally agreed to the treble subsidy, and six-fifteenths and tenths, to be paid in four years; and on the 10th of March Fortescue laid before the House certain Articles arranging the manner of levying and paying the same, reporting "the travel of himself and the other Committees" in settling the particulars; and on the 13th, the Chancellor of the Exchequer brought in the preamble of the bill, which was passed after a debate in which he made a speech not reported. "Finally," says the journal, "on the 27th of March, did this Bill touching the subsidy, after many days' agitation, at length very difficultly pass the House by reason of the greatness thereof."³

Sir John appears to have had a principal share in the conduct of the Bill—looked upon at the time as of very great moment.

On the 10th of April, 1593, Elizabeth dissolved the Parliament, her injunction against making new laws, about which, indeed, she gave them but little choice, having been fairly obeyed.

On the 28th of February, soon after the beginning of the Parliament, a "Bill for Recu-

¹ D'Ewes, *Parliaments of Elizabeth*.

² D'Ewes, p. 477.

³ *Ibid.*, 492, 496, 499.

fants"¹ was read, and the same morning Mr. Morris was sent for to Court, and from thence he was committed to Sir John Fortescue's keeping. This practice of making the great officers of State responsible for the custody of State prisoners—one exceedingly irksome to those upon whom they were inflicted—was then customary.

The increase in numbers and boldness of the "Popish Recusants" now began to attract the notice of the Queen (who always seemed to think herself responsible for the religion of her subjects), just as did the Nonconformist schism in the previous years.

A Special Commission was issued, March 26th, 1593, against "Jesuits and other disguised persons secretly adhering to our most capital enemy the Pope,"² in which Fortescue, Aylmer Bishop of London, Lord Buckhurst, Sir Robert Cecil, Lord Cobham, and a few more, were those of the Commissioners of whom one was required to be present at their meetings, and to sign their warrants. These Commissioners had very summary powers to search for and arrest all suspected persons.

In the autumn of this year he, with other Lords of the Privy Council,³ addresses a letter to Archbishop Whitgift, calling upon him very earnestly, with all convenient expedition, to cause diligent inquiry to be made of all recusants, their wives and servants, refusing to come to church, and strictly to admonish them.

We are not surprised to find Elizabeth at this time alarmed lest her Scottish neighbours should be allowed undue liberty of conscience to choose their religious profession. A letter to Sir John from Archibald Douglas, the Scotch ambassador in London, is extant, which shows that the English Court sympathized with his fears. At the same time he, acting as a Secretary of State rather than as a Chancellor of the Exchequer according to modern practice, announces to Douglas the Queen's refusal to intercede with James for the three Catholic Earls, Angus, Huntley, and Erroll, who had been found in treaty with the King of Spain for an invasion of Scotland with 30,000 men to restore their country to the old Church. She, on the contrary, directed her ambassador Lord Zouch to urge James to measures of severity against them. The latter, however, contented himself with their submission, giving them time until the 1st of January, 1594, to decide whether they would go into banishment, or abjure the errors of Popery.

Archibald Douglas was an intriguing and unscrupulous politician. He was more than suspected of being a party to the murder of Darnley the King of Scotland's father, for which he was tried by a packed jury, and acquitted. He was afterwards sent as James's ambassador to England. Sir John Fortescue's opinion of him will be seen further on. I here give the correspondence.⁴

¹ Heywood Townsend's *Parliaments of Queen Elizabeth*, p. 61.

² Rymer vii., part i. p. 117.

³ Strype's *Whitgift*, ii. 151.

⁴ From the State Papers in the Record Office.

Archibald Douglas to Sir John Fortescue. 26 Oct. [1593.]

It doeth appeir that suche as intendis that this libertye off conſeience ſhuld be treated of in Parliament, wolde ſeame to perſuade the King that it is the onely way to mak him agreeable and gracious to all uthir princis and potentatis.

This project was ſend in Scotland be the biſchoppe off Roſſe, fownded, as I heir ſay, upon ſome his formar dealing wythe foreyn potentatis during the tyme that he dealt for the Kingis layte mother; and the ſammin is now inbraced be ſome aboute the King, to what end I leawe it to be conſidered.

Albeit that ſome noble men hathe mayde promeſſe to hir Ma^{te}. that thay ſhall be no futarris that ony ſuch mater ſhuld be eſtabliſhed be Parliament, yet can it not be affirmed, nather doethe it appeir, that thay will oppone thayme ſelffis againſt the ſammin, in caſe it ſhall be ſett forward, or be moved be wtheris.

The preſent ſtate of that contreye ſo doethe remayne that all the noble men (werray few excepted) ar æther become Papiftis, or than Proteſtantis, *au plaiſire*, or than young children that can be contented wythe any religione; ſo that it wilbe werray harde to fynd any contradictouris to this intended libertye, if it ſhall come in queſtione, the miniſterris, ſome towniſmen of Edinbru^h. and wther townis onelye excepted; and all theſe wilbe (ſo far as may be imagined) fownd weak off thaym ſelffis, in caſe they ſhall not be countenanced be ſome of the nobilitie.

The Erll Bothewell appearis to be fitteſt to be inployed ffor thayme, if his hūmoures and thayrris culd be mayde to remayn in conformite any long tyme togethir; bot it is to be feared that, if neceſſitie ſhalbe remowed ffrom him, that the ſympathie ſhall not long remayn amongis thayme, beſidis that he may be wythe drawin from thayme, if he ſhall not be furniſhed wythe gud conſale beſidis him.

It appearis theyrfor to be expedient that whethir the ſayde Erll ſhall remayn at home, or be forced to leawe the cuntreye for ſome tyme, that the ambaffadour thayr reſident may be informed to tak ſome gud ordour that æther the ſayde Erll may be weill conſaled how to behawe him ſelf in this matter, or than that ſome off accompt may be dealt wyth all not to leawe the miniſterrye deſtitute of helpe in this, or when the ylik occaſione ſalbe offeridde, tending to mutatione of matteris in that State. Whatſoevir hir Ma^{te}. will hawe me to do in this or ony wthir matter that maye concerne hir ſerwice in that realm I ſhalbe readye to ſea it performed aftir powar, as one that wold be glayde to ſea all that is gude advanced, and ill dealingis prewented. I pray yowr Honour mak hir Ma^{te}. acquaynted heirvythe, and that I may reſſawe adwertifment whatſoevir ſhalbe hir Ma^{te}is. gud pleaſer to hawe me do heirin.

And so leaving to trouble your Honour any fordar at this tym, I tak my leawe, this xxvj of Octobir.

Your Honouris at all powar to be commanded,

A. DOUGLAS.

Addressed :—"To the Ry^t. Hono^{ble}. S^r. Jhone Fortescū,
Kny^t., Chancellare off the Eschekcar,
and one of hir Ma^{ties}. moſte Hono^{ble}.
Prevye Confale."

Archibald Douglas to Sir John Fortescue, 29 Oct. [1593.]

Pleis your Honour upon the xxix of this instant I reſſawed theſe letteris eftir following from M^r. Richarde Dowglaſſe, my nephew, a lettir to hir Ma^{te} ffrom the Erllis Anguſe, Hüntlye and Arrelle, tūo ſewerall letteris from thayme to my ſelf, wythe a lettir ffrom the ſayde Mr. Richarde, all whiche I ſend onto your Honour heirincloſed, wythe the cōpye off the ſayde Mr. Richardis lettir. The principalle I have referwed beſidis my ſelf, be reſſone of ſome particular matter thayrin conteaned.

Be the contentis of all theſe letteris may be perſawed in what trowble and confuſione the preſent ſtate of that cuntrey doeth remayn. I can not forbear to leawe it to be conſidered of, if any bettir tyme or fittar occaſione can be rencontred, ffor hir Ma^{te}. wytheowt chargis draw the aſſurance of that hoile State to hir ſelf, than this is, when by gud meanis matteris wythe diſcretione may be brocht to q̄uietnes and breyd hir Hyenes ſeurtie. Harde dealing may fforce men to ſeik aſſurance in ony part whear it may be fownd, and may be the occaſione to produce fordar trowble. But I will forbear to be ſo foliſche as to gewe confale in theſe ſo weyghty matteris to thoſe that is able to teache me; and thayrfor will pray your Honour to preſent this thayr lettir onto hir Ma^{te}. and to mak hir Hyenes acquaynted wythe the hoile that I have reſſawed.

Moſt humblye praying that I may onderſtand hir Ma^{ties}. gud pleaſer what I ſhall fordar do in this or ony uthir matter that may concerne hir Hyenes ſervice in that realme, wythe fuche expedition as hir Ma^{te}. ſhall think meit, whearin I ſhalbe villing to do all that I can to ſea hir Hyenes gud pleaſer accompliſhed aftir my powar, whiche is not greit at this tym; and ſo expecting your Honouris anſer, I tak my leawe, the xxix of October.

Your Honouris at all powar,

A. DOUGLAS.

Addressed in another hand :—"To the Right Honorable
S^r Jhone Fortescue, Knight,
Chancelar of the Exchequer,
and one of her Ma^{ties}. moſte
honorable Privie Counſayle."

Sir John Fortescue to A. Douglas. Nov. 1593.

A Copie of a lettre written by S^r. John Fortescue, in anfwere of the lettres w^{ch} came from y^e three Erles, of Huntley, Angus and Erroll, sent by Arch. Dowgless, and this aunfwere made to hym for them to see.

Sir, Her Ma^{tie}. hath perused the lettres, written to her selfe from y^e three Erles, and the other two from y^{em} to yo^w, wth a lettre from yo^r nephewe to yo^w, and yo^{res} to S^r. John Fortescue; to w^{ch} (wth thanks for your owne particuler care of any thing that may concerne her), shee is pleased to returne this aunfwere.

First in y^e lettre from the Erles, and her Ma^{tie}. dothe finde many labored thanks for her intercession for them already to the Kinge.

Secondlie, a sute for further mediacion wth y^e King and ministrie, for effecting their desires, w^{ch} she findeth it covert termes, to be meant the procurement to y^{em}, of inoyenge their consciences free w^{thout} trouble, or molestacion (for so they would have it, by an Acte to be ratified).

Thirdlie; it containes their justification of themselves, by affirminge that they haveben already (w^{thout} just grounde) heavelie troubled and profecuted;

Lastlie; their generall offe^{res} (theis former things graunted) of all condicions, and assurances before promised to her Ma^{tie}.

In all w^{ch} thinges her Ma^{tie}. findethe litle cause to acknowledge satisfaccion therein, feing whatsoever they wryte or say is grounded uppon a false or misconceaved foundation; for concerning the first insinuation of thanksgivinge, for that w^{ch} is already done, althoughe her Ma^{ties}. disposicion hath ever abhorred injust profecution, and that in particuler had no displeasure against them; wherby for any seconde respecte shee shoulde desire their ruyne; yet is shee farre from assuming to her selfe, any thanks, who never had one thoughte to deale for them in the termes they stande in; nether can shee be wonne wth a phraze in a lettre, to make her selfe y^e auctho^r ether of y^e untymelie favo^{res} w^{ch} hath ben already extended by the Kinge, or is hereafter purposed to be shewed them, ether by parciall tryall, or by palpable connivence at their presumption in daring thus untried to present themselves to their Soveraignes eyes, of whose kingdomes prodicion, they stand (by more then probabilities) deeplie condemned.

And therefore as their treasons preceded their punishm^t. so her Ma^{tie}. (throughe experience of goverment) hath ben ever farre from dealinge for them, nether would shee beginne it, untill by due forme of lawe, by indifferent affise, and not by combyned favoure^{res}, they shalbe acquitted, or delivered to y^e Kinges mercy and power: and therefore they are much mistaken, if wth all their finesse, they can so overfadome her Ma^{tie}. as by insinuating thanks for that favour w^{ch} was never afforded, to serve their particuler turnes, by possessing the worlde wth a conceipte, that a prince of her wiesdome would suffer her selfe to be made an

instrum^t. for their grace, and credytt of whom shee is not assured, to what use, their power or meanes should be employed. And therefore her Ma^{tie}. requires yo^r to deale plainly wth them, as one that are not unacquainted wth her knowledge of the passages in Scotlande during y^e Kinges younger yee^{res} hetherto, that as shee hath ever accounted of those as dere unto her who have runne all courses tending to the strengthning of the Kinges estate, and mayntaining the peace of y^e Church; so her Ma^{ty}. is not ignorant howe longe, and sondry tymes, theis personages have apparantlie ben detected to leuell, at their owne greatnesse, to have adhered to forraigne factions, and to have publickely, and peremptorelie professed contrarietie of Religion; yea I may well say have projected the modele of their contries ruine, for so had it followed inevitable if their complottes had not ben (throughe Godes providence) by her Ma^{ties}. care discovered.

It shall not therefore be needfull to use many argum^{tes}. to assure yo^r that wthout further assurance by submitting themselves to ordynarie, and just tryall, and by humbling themselves wth reasonable conformitie in matte^{res} of Religion, her Ma^{tie}. will not open her lyppes to y^e Kinge, nether will hope, or trust, in theis generall protestacions, forasmuche as their former accions being considered, it cannot be safe for the King, thus to favour them untried, nor remayninge hereafter unconformed, to leave them any meanes to prevaile against him, having ben knowne already so farre to have receaved the baytes of forraigne corruptions.

And for y^e point mencioned in their lettre to yo^r, that y^e Ministrie deales more strange-able wth them then agrees wth tendernes of conscience in seeking to wrest y^em, to all their owne opinions, or fantasies (as terme them) her Ma^{tie}. cannot thincke so unreverentlie of y^e membe^{res} of that Church, as that they woulde indiscreetly do any thinge, by constraint, or compulsion in needlesse matter of circumstance, w^{ch} were not an essenciall of the substance and wheron did not depende, the securitie of the Religion, w^{ch} they are bounde to mayntaine.

And therefore for conclusion, her Ma^{tie}. is pleased to lett yo^r understande, that as shee mighte happelie, have ben induced^t to have dealt wth the Kinge for them, if they had sent togeith^r wth their lettres (nowe fraught wth generall professions) their particular packes, covenantes and formerlie promised condicions w^{ch} might have assured their sincere meaning, of yelding all securitie bothe to the Kinges estate, and Religion, wth absolute assurance never of harkning, or entring into forraigne confederacies, so nowe her Ma^{tie}. esteemethe, theis generalities of good protestacion litle worthie the ballancinge wth the particuler insinuation of their desires, who seeke to be tried, by parciall combynacion, or at leaste by suche in effecte, thoughe cullored by othe^{res} auctoritie and election, and so by their acquittall, shall remaine no way obliged to any recognition of pardone, or grace, at their Soveraignes handes, but to have suche a furthe^r libertie graunted them, as is not to be permitted to men so farre ingaged, thoughe to othe^{res} not spotted wth those former stains: It is farre from her Ma^{ties} princely

nature, or proceedinge to force, any tender conscience wher it hath no *sympatbie* wth forraigne practize. At *Wyndfor*, the . . . of November 1593.

In 1594, almost the only mention of his name is when attending the funeral of the good Bishop of London, Aylmer, at St. Paul's, on the 26th of November.

"The Bishop of Winchester was chief mourner. Sir John Fortescue, one of the Honourable Privy Council to her Majesty, with the whole company of mourners, to the number of 450, at the Bishop's Palace, had a solemne dinner."¹

Anthony Bacon writes as follows to E. Reynoldes, January 25, 1596.² We have no particulars of the subject to which he alludes:—

"I understand by Bouthe that Sir John Fortescue proceeds so honourably and affectionately with him, Sir John being put in mind by Lady Edmonds to send her the pardon for Bouthe, and to command Bouthe to pay her 100*l.* in hand, and 100*l.* more in six months. Sir John made answer, 'that he could not in conscience nor honor, nor would for any good put poore Bouthe to any hurt or charge, since it had pleased her Majesty to grant him his absolute pardon, for the signing whereof he meant to trouble nobody but himself,' and he hath shewed much affection in facilitating the release."

Sir John had now reached a position of much influence and power in the Court and the country. In the Sydney Papers³ we find repeated mention of his name in cases where his recommendation is sought for the furthering of suits of various kinds with the Queen. The following letter from Lord Essex, asking his patronage for the great Francis Bacon, is interesting, both in confirmation of what has been said above, and because of its subject:—

The Earl of Essex to Sir John Fortescue.

COSEN,

I do now commend unto you both present actions, and absent Friends; I mean those that are absent from me, so as I neither can defend them from wrong, nor help to that right their virtue deserves; and because one occasion offers itself before the rest, I will commend unto you one above the rest.

The place is the Mastership of the Rolls; the man Mr. Francis Bacon, a kind and worthy friend to us both.

If your Labour in it prevail I will owe it you as a particular Debt, tho' you may challenge it as a debt of the State.

And so wishing you all happiness,

I rest your Cosen, and Friend affectionate and assured,

E.

¹ Funeral Certificate in Coll. Topog. et Genealog., Nichols, vol. iii. p. 287. Strype's Aylmer, 112.

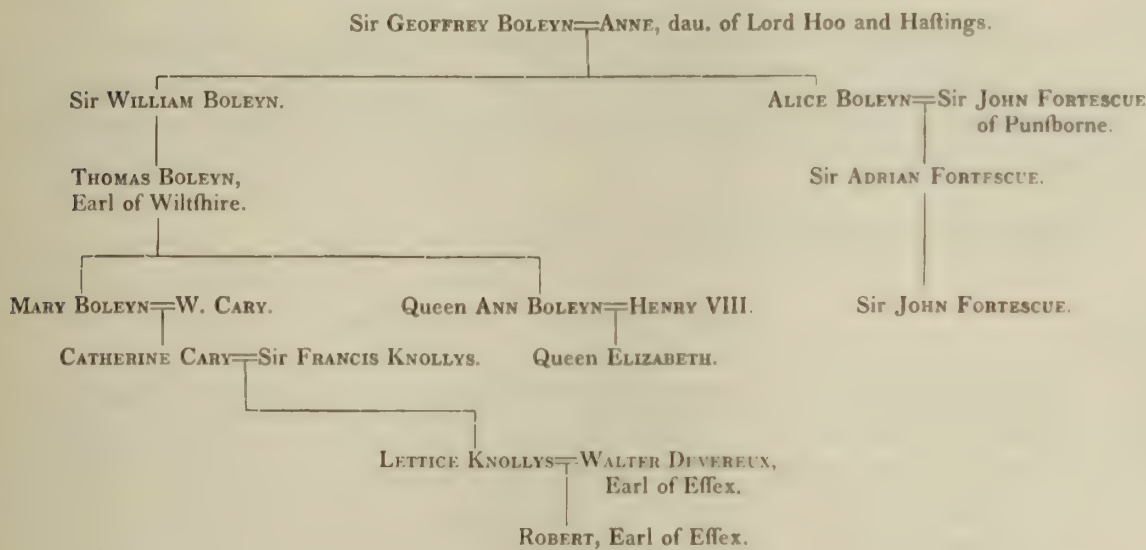
² Bacon Papers in Lambeth Library, vol. 654, No. 68.

³ Sydney Letters and Memorials of State, 2 vols. folio, 1746.

Cofen, I pray you remember my very good Dr. Browne, I should challenge you for a great unkindness if his suit should succeed ill.

To my honourable Cosen, Sir John Fortescue,
Chancellor of the Exchequer.¹

The cousinship between Sir John and Effex was remote enough, being no nearer than second cousins thrice removed; Queen Anne Boleyn, and her sister, Lady Mary, being second cousins to Sir John; and Lady Mary, first through the Carys, and then through the Knollys, being great-grandmother to Effex; but the custom of the time-acknowledged distant relationships, and in the present case the central attraction of a common cousin on the throne of England, had its influence in drawing them together. This pedigree will explain the relationship:—



Here are other less interesting letters from Essex; of these the first was written before he sailed on his expedition to Cadiz; the last two soon after his return, victorious, but discontented:—

*Earl of Essex to Sir John Fortescue.*²

SIR,

These few lines are only to entreat your honourable favour towards Jeronymo Lopes, an honest merchant, who without the same is like to sustain great losse in his Estate by reason of certain seized by the Commissioners.

¹ Copied from Brit. Mus. Add. MS. 4119. The original is in Lambeth Library.

² Add. MS. 4118, p. 99. The original is in Lambeth Library.

The state of the Cause and his just defence for the saving of his Goods is contained in this scedule inclosed, whereunto I do refer you, forbearing otherwise to trouble you with the Repetition thereof, commending the Equity of his Cause to your good consideration, according to the truth whereof upon Examination I do very earnestly pray you, that you will be pleased to give order to the Commissioners for the Release of his Goods and that he may be permitted to transport them.

For which your Hon^{ble}. favour I will rest very thankful in his behalf.

Thus I commend you to God's best protection.

From the Court the first day of March 1595.

Your very loving Cousen,

ESSEX.

The Earl of Essex to Sir John Fortescue.¹

SIR,

My hand is lame, and therefore I am bould in this postscript to use another man's, thereby to entreat you that you will be pleased to continue your honourable favour towards Doctor Fletcher, and to respite him until the next term. You shall make me exceedingly beholden to you for it.

Endorsed :—"November 14, [4, or 24] 1596."

The Earl of Essex to Sir John Fortescue.

SIR,

It pleased you lately at my request to promise respite of Mr. Dr. Fletcher's payments, for the which I thought myself very much beholden. Now therefore forasmuch as unawares unto you process is awarded against him and his sureties, I am bold to entreat your favour for the remedying thereof by the best and speediest course you can, for that their credits are very deeply interested, and may be not a little prejudiced, unless some present order be taken for the granting of a supersedeas. I pray you to tender their reputation so much, and for my sake to dispatch them, which I will acknowledge with all thankfulness.

I do commit you to God's best protection.

From the Court 6th of December, 1596.

Your very affectionate Cousin and assured Friend,

ESSEX.

We have seen Francis Bacon recommended to Fortescue by Essex, for the Mastership of the Rolls; Sir John, however, had been long Bacon's friend and well-wisher. In the end of

¹ Sloane MS. 4122, f. 93 b.

1593 he joined Chancellor Egerton in urging the Queen, though unsuccessfully, to make him Solicitor-General;¹ and in 1595, we read that she appoints Bacon one of her Counsel learned in the law, and gives him the estate called "The Pitts," in Somerset, at the express suggestion of Burghley and Fortescue.²

Both Francis and his brother Anthony were employed at this time by those statesmen to collect news for the Government of transactions abroad, from the foreign gazettes and private information; and Fortescue corresponds with them on such affairs. The letter now given is to Anthony Bacon.

*Sir John Fortescue to Mr. A. Bacon.*³

SIR,

I most heartily thank you for that you so kindly take so small a courtesy as you have received from me in acceptance of your offer; assuring you I would be glad to do you better offices, and deserve your good opinion, if it may lie in my power.

Touching that you write of the Scottish cause, I have always carried a suspicious mind of the whole nation. *Nam quid con cogit egestas?* The Ministers have all been double dealers, and therefore, more than by Her Majesty's express commandment I have been enforced, I never communicated with any of them; and whatsoever I advertised I ever procured under the Informer's own hand, for his double dealing I always suspected, and so plainly have protested unto Her Majesty, and have charged Archibald Douglas to have been author of the complots he would seem to remedy. But the man known needeth no description, and is to you thoroughly decyphered.

The dealing with that Prince standing to Her Majesty in so dainty terms, and the suspicious concert Her Highness hath of his titular hopes, maketh, yea rather, forbiddeth and forewarneth me to have no commerce where my Loyalty may receive Blemish, and therefore I made bold to deliver myn opinions unto your Brother advising you to make known to Her Majesty that you would not entertain anything that should not bear Her Highness's good Allowance.

What I may in this or any other thing, my good will and travel shall be to you all good.

And so thanking you for your Venice advertisements, I herewith advertize you of our unpleasant news of the rendering of the Citadel of Calice, which was yesterday before noon delivered into the enemies hands, and the King departed from Boulogne towards La Fère.

And so I commend you to the Lord's tuition, this 16th of April 1596.

Your assured loving Friend,

J. FORTESCUE.

¹ Dixon's Bacon, Nov. 1593, p. 53.

² Ibid., July 14, 1595, p. 62.

³ From Bacon Papers, vol. 656, No. 217, in Lambeth Library.

The siege of Calais by the Spaniards, under the Archduke Albert, Governor of the Netherlands, when known in England, excited much alarm. Elizabeth at once raised troops to send to the assistance of the French king; and so important was the object felt to be, that instantly upon the arrival of the intelligence, although it was on Sunday during Divine service that the messenger came, the enrolment of men was begun, and Essex was appointed to the command; but before the expedition was ready to set out the news mentioned by Sir John arrived, and the forces were disbanded.¹

Spain being at this time the foreign power most closely to be watched, the advertisements referred to by the Bacons in these letters, as sent to Sir John Fortescue, doubtless related to the designs of that country.

*Francis Bacon to Anthony Bacon.*²

May 15th, 1596.

MY VERY GOOD BROTHER,

I have remembered your salutation to Sir John Fortescue, and delivered to him the Gazette desiring him to reserve it to read in his barge.

He acknowledgeth it to be of another sort than the common. I delivered him account of so much of E. Hawkins' letter as contained advertisements, copied out; which is the reason I return to you the letter now; the Gazette being gone with him to the Court.

The next words consecutive I have not acquainted him with, nor any of them. The body is for more apt time.

So, in haste, I wish you comfort as I write.

Your entire loving Brother,

FR. BACON.

*Francis Bacon to Anthony Bacon.*³

GOOD BROTHER,

Yesternight Sir John Fortescue told me he had not many hours before imparted to the Queen your advertisements and the gazette likewise; which the Queen caused Mr. John Stanhope to read all over unto her; and her Majesty conceiveth⁴ they be not vulgar.

The advertisements her Majesty made estimation of as concurring with other advertisements, and alike concurring also with her opinion of the affairs. So he willed me to return you the Queen's thanks. Other particulars of any speech from her Majesty of yourself he did not relate to me.

For my Lord of Essex' and your letters, he said, he was desirous to do his best. But I seemed to make it but a love-wish and passed presently from it, the rather because it was late

¹ Camden, in Kennett, ii. 591.

³ Bacon's Works, ed. 1778, vol. iii. 456.

² Dixon's Bacon, A.D. 1596, from Lambeth MS.

⁴ Query, "commandeth."

in the night, and I mean to deal with him at some better leisure, after another manner as you shall hereafter understand from me.

I do find in the speech of some Ladies, and the very face of the Court, some addition of reputation, as methinks, to us both; and I doubt not but God hath an operation in it that will not suffer good endeavours to perish.

The Queen saluted me to-day as she went to chapel. I had long speech with Sir Robert Cecil this morning, who seemed apt to discourse with me; yet of yourself *ne verbum quidem*, not so much as a *quomodo valet*?

This I write to you in haste *aliud ex alio*, I pray you set in a course of acquainting my Lord Keeper what passeth, at first by me, and after from yourself. I am more and more bound to him.

Thus wishing you good health, I recommend you to God's happy preservation.

Your entire loving Brother,

FR. BACON.

From the Court, the 30th May, 1596.

I find about this time a sonnet in his honour by one Henry Lok, Gentleman, who thus addresses him:—

To the Right Honourable Knight Sir John Fortescue Chauncellor of the Exchequer.

He who in dutie much to you doth owe,
In power is little able to present,
For pledge of grateful mind is for't bestow
These ill limned lines, best signes of heart's intent;
The scope wherof for Salomon was bent,
To teach the way to perfect happinesse,
By one transformed thus and to you sent
To shew that I do wish to you no lesse;
To wish well is small cost I do confesse,
But such a heart as truly it intends,
Is better worth esteem than many guesse;
And for all other wants makes halfe amends.
Such is my heart, such be therefore thy mind,
Then shall my mite a millions welcome find.¹

¹ The above is contained in a volume entitled "Sundry Christian Passions contained in two hundred Sonnetts, divided into two equal parts. The first consisting chiefly of Meditations, Humiliations, and Prayers:

Also these Latin lines from a work called "*Illustrium aliquot Anglorum encomia*," by Thomas Newton, 1589:¹—

Ad ornatissimum virum D. Ioannem Fortescutum consiliarium Regineum.

Scutum forte tuis cum sis fulcrumque Brittannis,
Conueniens certe nomen et omen habes.

From frequent mention of Sir John at this period in the Sydney Papers, we learn something of him almost from month to month.

Whyte writes to Sir Robert Sydney on the 16th of March, 1596:²—"My Lord of Essex had granted unto him the office of Master of the Ordonance, but as yet he cannot get his Patent signed. Sir John Fortescue offered it twice to Her Majesty, but she found some exceptions, and this after noon he took his bill from him, and presented it himself, but for all that it is not done, which moves the Earl greatly."

If Essex was then under a cloud it was but a passing one, for not many weeks later Elizabeth sends him to Cadiz at the head of the land forces.

On St. George's day (April 23, 1599), Sir John is laid up with a relapse of cold, and must stay at home six days longer; but he lends his chamber at the Court to Sir Robert Sydney's children, to see the Queen in her procession.³

He is frequently solicited for Sir Robert Sydney, then with the troops at Flushing as Governor,⁴ to obtain grants for him of the house and park of Oteford near Penshurst in Kent. In the correspondence he is often referred to as "number 100."

By a letter from Whyte to Sydney in October, 1597, we find that he had been for some time past Keeper of the Seal of the Duchy of Lancaster:—"It is expected that this day the Seal of the Duchy should be given to the Secretary; for Sir John Fortescue, that kept it all this while, was sent for about it."⁵

He did not become actual Chancellor of the Duchy of Lancaster in this reign until four years later, namely, in the end of 1601.

Queen Elizabeth having governed without a Parliament for four years and a half, assembled the two Houses on the 24th of October, 1597.

In this Parliament Sir John again sat for Buckinghamshire.⁶ His eldest son, Francis,⁷

The Second of Comfort, Joy, and Thanksgiving, by H. L." [Henry Lok, Gentleman.] 4to. London, printed by Richard Field, 1597.

At the end of this work, among "Sonnetts of the Author to divers, collected by the Printer," and first "to the Lords of Her Majesty's Privie Councell," occurs the foregoing sonnet.

¹ Leland's Collectanea, vol. v. p. 174, being Appendix to vol. i.

² Sydney Papers, ii. p. 30.

⁵ Ibid., ii. p. 64.

³ Ibid., ii. p. 44.

⁶ Willis's Not. Parl.

⁴ Ibid., ii. p. 183.

⁷ D'Ewes, p. 553.

was returned for the town of Buckingham ; his third son, William, was member for Chipping Wycombe ; while his brother Thomas continued to sit for Wallingford. Sir John's second son, Thomas (styled, to distinguish him from his uncle, "of the Middle Temple"), who was in the last Parliament for Wycombe, does not appear to have been a member of the new Parliament ; the family interest was, however, strongly represented.

Sir Thomas Egerton, who had lately succeeded Puckering as Keeper of the Great Seal, read the Royal speech in the Queen's presence to the Lords and Commons.

The Commons chose Sergeant Yelverton as their Speaker. He was proposed by Sir William Knolls, a Privy Councillor and Comptroller of the Household, and then, according to usage, excused himself as unequal to the great post.

He says :¹—"Not from my ability doth this your choice proceed, for well known it is to a great number in this place now assembled that my estate is nothing correspondent for the maintenance of this dignity : For my father dying left me a younger brother, and nothing to me but my bare annuity. Then growing to man's estate, and some small practice of the law, I took a wife by whom I have had many children, the keeping of us all being a great impoverishing to my estate, and the daily living of us all nothing but my daily industry.

"Neither from my person or nature doth this choice arise ; for he that supplieth this place ought to be a man big and comely, stately and well-spoken ; his voice great, his carriage majestical, his nature haughty, and his purse plentiful and heavy : but contrarily the stature of my body is small, myself not so well-spoken, my voice low, my carriage lawyer-like, and of the common fashion, my nature soft and bashful, my purse, thin, light, and never yet plentiful. . . . How shall I then speak before the unspeakable Majesty and sacred personage of our most dread and dear Sovereign, the terror of whose countenance will appall and abase even the stoutest heart ; yea, whose very name will pull down the greatest courage." And much more of the same kind.

"After which speech of Sergeant Yelverton's, the Right Honourable Sir John Fortescue, Knight, one other of Her Highness' said Most Honourable Privy Council, and Chancellor of Her Majesties Exchequer, stood up and affirmed all the said former speech of Mr. Comptroller in the commendation and good parts of the said Mr. Sergeant Yelverton, and inferred further that he had well perceived by Mr. Sergeant's own speech tending to the disabling of himself to the said place, that he was thereby so much the more sufficient and meet for the same.

"And so for his part, likewise nominating the said Mr. Sergeant Yelverton to be their Speaker, moved the House further for their liking and resolution therein ; who all, with one accord and consent, yielded to the said election.

¹ D'Ewes, p. 549.

"Whereupon Mr. Comptroller and Mr. Chancellor of the Exchequer did rise up and place Mr. Sergeant Yelverton in the chair."

On the 27th of October, Sir John Fortescue "moved and admonished that hereafter no member of the House should come into the House with their spurs on, for offending of others;" and also that before any member enter the House he "should pay the usual fees to the Sergeant-at-Arms."¹

And on the same day, he, with Sir William Knolls, presented the new Speaker to the Queen in the House of Lords.²

A few days later Fortescue supports by a speech a motion of Mr. Francis Bacon, who proposes Bills against the undue Inclosures of Land;³ and on the 14th the following entry appears on the journals:⁴—

"Sir John Fortescue, Chancellor of the Exchequer, shewed that Her Majesty did yesterday last call Mr. Secretary and himself unto her, and telling them that Her Highness had been informed of the horrible, great, and incestuous marriage mentioned in this House the day before, and minding due punishment and redress of the same, commanded them to take information of the grievances in particular of the members of this House; that Her Highness having certain notice thereof, may thereupon give order for the due punishment and redress accordingly."

The question was then referred to a Committee for inquiring into ecclesiastical abuses; the objectionable marriage arising, it was alleged, from laxity in the ecclesiastical government.⁵

Sir John's next task in the House was to propose a grant of supplies to the Queen, affirming that "the defence of the realm against the old Spanish enemy was still imperative, and of necessity costly; requiring urgently some mass of treasure to be assigned to her use." In his speech he dwells upon the designs and attempts of the King of Spain since the last Parliament.⁶ The House accordingly granted three subsidies, six-fifteenths and tenths.

In January Sir Walter Raleigh complains to the House of Commons of the discourteous conduct of the Lords when he, with other members, went to their House to propose a conference.⁷ He says that "their Lordships did deliver their answers to the said Members at the Bar, not using any of their former wonted and courteous manner of coming down towards the Members of this House towards the Bar; but all of them sitting still in their great Estates very solemnly and all covered. The Lord Keeper sitting also still in like manner covered, delivered the answer to the Members to the great indignity of this House,

¹ D'Ewes, p. 550.

² Ibid., p. 526.

³ Ibid., p. 552.

⁴ Ibid., p. 556; and Parliamentary History, vol. iv. 416.

⁵ Ibid., p. 558.

⁶ Ibid., pp. 557, 559, 560.

⁷ Ibid., p. 580.

and contrary to all former usage," which the Commons misliking, appointed Sir John Fortescue and others to consider how they ought to proceed at the next conference. The Lords, however, maintained their point, and proved, as we are told, "that the Commons were not entitled by the usage of Parliament to any more respect."¹

Immediately before the end of the session,² while the House was considering a Bill for Drainage of Lands in Norfolk, to which the Lords had agreed, Fortescue came suddenly into the House, "and presently told Mr. Speaker that Her Majesty the Queen had commanded him to signify to the House that her express pleasure was that the Bill should not be proceeded with." The next day Mr. Wingfield complained mildly of this very summary proceeding, but without result, and on the following day, February 9th, the Queen came down and dissolved the Parliament.

Sir John's name occurs repeatedly in the journals of this Parliament as serving on Committees and taking part in the conduct of Bills, but the occasions, with the exception of those above referred to, were not important.

In the course of this year (1598)³ the States-General of the Low Countries sent commissioners to England to arrange the share to be paid by each power towards the expenses of the war with Spain. To treat with them the Queen appointed Lord Keeper Egerton, Essex, Burleigh, and a few more, including Sir John Fortescue, and succeeded in relieving England from the burden of paying the expenses of the English garrisons in Flushing and other Flemish ports, to the great satisfaction of the Chancellor of the Exchequer. Burleigh was too ill to take part in the proceedings, but Sir John was understood "to speak the sense and to have the secret of the Lord Treasurer,"⁴ who died in the following August.⁵

It was expected that he would be Burleigh's successor. Chamberlain, writing to Dudley Carleton, says, on the 20th of October, 1598, "The voice ran all this weeke with Sir John Fortescue to be Lord Treasurer, but now it is come about again to the Lord Buckhurst, and every three or four days it is turned from one side of the Court to the other."

The rumour of Buckhurst's appointment proved true; Elizabeth made him her Treasurer.

The rebellious conduct of Tyrone in Ireland at this time⁶ determined the Queen to send an army, with a great officer at its head, to crush him. She unfortunately chose Essex, advised, on the one hand, by Cecil, who desired his absence, and, on the other, by Sir John Fortescue, always his well-wisher. On the 8th of March, 1599, the commission for Essex's

¹ Hume, *Hist. of England*, vi. p. 318.

³ Camden, in Kennett, ii. 610; Rymer, vii. part i. p. 201.

⁵ Strype's *Elizabeth*, iv. 466.

² D'Ewes, 594.

⁴ *Biographia Britannica*, vol. iii. p. 2004.

⁶ Dixon's *Bacon*, chap. v. sec. 6.

Lord Lieutenancy was drawn at a private meeting of the Privy Council where only Cecil, Buckhurst, and Fortescue were present.

A few months later, in September, Essex, having succeeded but badly, came back to England without leave, to excuse his failure, arriving in London on Michaelmas Eve, 1599.¹ The Queen, although at first moved by his earnestness in imploring her pardon, committed him next day to the custody of Lord Keeper Egerton, who kept him prisoner in his house.

Here he soon fell ill, overcome by grief and vexation at his disgrace, or, as the Sydney Papers with less sentiment relate, "infinitely troubled with the Irish loofness."

Elizabeth, when the Earl's life appeared to be in danger, became mollified towards her favourite, and allowed a few of his friends to visit him; among others Sir John Fortescue,² who soon after (on the 29th of November) was one of the Lords of the Council³ who, in Star-Chamber, drew up a Declaration on the cause of Essex's imprisonment "for the satisfaction of the world," each lord delivering his opinion of his conduct in Ireland. Francis Woodward, who gives a report of the proceedings, was only able to hear the speeches of the Lord Keeper Egerton and Lord Treasurer Buckhurst, "the rest did speak so softly, the throng and press being so mightie," that he "was driven so far back that he could not hear what was said." Another authority, however, better placed for hearing, thus relates the part which Sir John took in the proceedings: ⁴—

"In the troubles of the Earl of Essex Fortescue conducted himself with such prudence as to give no offence either to the Queen or to those who were the Earl's enemies; and was notwithstanding understood throughout the whole to be his friend.

"In the proceedings in the Star-Chamber at the close of Michaelmas Term 1599, when all the great officers of state were called upon in publick to speak their sentiments on that nice subject, with a view probably of obliging them to take either one part or the other; Sir John Fortescue had the address to speak to the satisfaction of the audience, without falling into any of the heats with which others were transported.

"He first gave a clear account of the Queen's care and concern for the reduction of Ireland, and the measures pursued for that purpose, so far as they fell within the cognizance of his own office. He observed that he was not called to Council when these matters were first in debate; he said that since, he came rarely thither, most of his time being taken up in the management of the revenue; that notwithstanding this he had a general knowledge of what passed in Council; from which general knowledge, however, he could collect nothing more than that notwithstanding all the Queen's pains and providence things were then in a worse state in Ireland than when the army first landed.

¹ Sydney Letters, ii. 127, giving a graphic account of Essex's visit to Elizabeth in her bedroom; and Hume, v. 349.

² Sydney Papers, ii. 139.

³ Ibid., 146.

⁴ Biographia Brit., vol. iii. p. 2004.

“After this, raising his voice, he complained with tears in his eyes, of libels scattered abroad to inflame the minds of the people; of the fatal consequences of these factious intrigues among great men; and closed his speech with a pathetic recommendation of affection to the Queen’s Majesty, and a sincere regard to the peace and welfare of the nation.”

Effex continuing very feeble in body, Lady Effex repaired often to Sir John to hear news of her husband’s health. Rowland Whyte writes: “My Lady Effex rises almost every day by daylight, to go to my Lord Treasurer’s and Sir John Fortescue’s, for to this Court she may not come.”¹

A few days later, however, we read, “My Lady Effex had leave yesterday to go to the Earl and so she did; little hope there is of his recovery. The Lord Nottingham is sick at Chelsea: the Lord Keeper sick at London; Sir John Fortescue takes physic, and Sir Walter Raleigh hath an ague.”

About this time Vereiken, the ambassador from the States-General, arrives in London to treat for peace, and Sir John receives him on the occasion of his presentation to the Queen. Rowland Whyte writes that the ambassador in his speech said, with other compliments, “It is true that I longed to undertake this journey to see your Majestie who for Beauty and Wisdome doe excell all other Princes of the World, and I acknowledge myself exceedingly bound to them that sent me to have this happiness I now enjoy.”² Afterwards he visits the Queen’s Ministers Lords of the Council, at the Lord Treasurer’s, namely, the Lord Treasurer, Lord Nottingham, the Chamberlain, Mr. Secretary, and Sir John Fortescue. “About half an hour after two the Ambassador came in Mr. Secretary’s coach; Mr. Secretary and Mr. Chancellor of the Exchequer met him at the Footpace in the Hall, where was a great number of the Lord Treasurer’s men with chaines; soe he was brought to the Great Chamber towards the Garden, and soe to the Gallery, where he staid with the Lords till half an hour past five. At their rising he was accompanied to his very coach by Mr. Secretary and Mr. Chancellor of the Exchequer. The Lords of the Council doe stay in London till Friday about these affaires, and with what speed possibly may be, it shall goe forward. The time for the Treaty is putt off till the end of March.”

At the departure of Vereiken, Fortescue, with the other Lords, “one by one, came to him to bid him farewell and to have some private speech with him; and soe he departed, Sir Walter Rawleigh taking him in his Coach.”

In 1600 there is slight mention of Sir John. In the Sydney Letters his name occurs chiefly with reference to Sir Robert Sydney’s suit for Oteford Park, in whose behalf Sydney’s faithful agent solicits his favour with importunity.

In April Whyte writes thus to Sir Robert Sydney:—“Sir John Fortescue, under-

¹ Sydney Papers, ii. 149, 150.

² Ibid., ii. 171, 172.

standing that there are two ships laden with spice come from China to Middleburgh, is very desirous to have ten pounds of that Ginger they bring: If your Lordship please to provide it, I see it will be very well taken.”¹

Lord Essex had been in confinement for many months, when in June of this year (1600) Elizabeth determined that he should be tried, not in the usual way, but by the Lords of the Privy Council assisted by some Special Commissioners. He appears accordingly in the Council Chamber, where among his Judges sat Sir John Fortescue.² “The Attorney-General her Majesty’s Solicitor, and Mr. Francis Bacon laid open his offences and contempts. The Earl himself kneeled at the Board’s end with a bundle of papers in his hand, which sometimes he laid in his hat that was upon the ground by him.” He was found guilty, but no sentence was passed until the Queen’s pleasure should be known. “Many that were present burst out in tears at his fall to such misery.”

The Queen, as we know, soon after this released him, but his turbulent spirit and violent temper drove him, a few months later, to a mad attempt at insurrection which brought him to the scaffold on the 25th of February, 1601.

Among those who joined in the rising at Essex House were Lord Cromwell and Edward Bromley, the last being son of Lord Chancellor Bromley by Sir John’s sister Elizabeth Fortescue.

The following letter referring to late events is preserved in the British Museum:—

Sir John Fortescue to Sir Robert Cecil.

SIR,

It is myn unfortunate mishapp now to be touched with a lameness when I wold and ought to be most ready to serve, yet I have not but with my best habylty ben ready to performe my Duety; and although my house be an unfit place for keeping prisoners yet have I taken care for the custody of the Lord Cromwell who most pityfully moneth his misery and protesteth ignorance of the attempt, and that he causally fell into the Erle of Essex Companie nor was any waye partaker of any Plot, which thinge he protesteth may be proved by his dealing at the Lord Maier’s and before Mr. Recorder. I most heartily pray youe that as soon as it may be I may be free from him; yet will I not refuse any dealing in anything which may tend to her Majesty’s security: For yesterday I committed Mr. Catesby and Mr. Littleton to the Sheriff’s custody, and now this morning finding a nephew of mine, viz., Edward Bromley, who was one of the Company, I have also taken him and safely keepe him until he be examined and my L. L. resolve what shall become of the matter: youe know we have heretofore always suspected such sequells and now it behoveth

¹ Sydney Papers, ii. 186.

² Ibid., ii. 200.

that the bottom be sifted out, for it is not to be thought that this suddeyne attempt had not a farther reach than appeareth, which I trust in short space may be revealed : And therfor most humbly recommending my poore service to her Majestie's consideration which shall be ready during my lyfe, I commit you to God. At the Wardrobe this 9th of February, 1600.

Your most assured loving and true friend,

J. FORTESCU.¹

Lord Cromwell, mentioned above, was found guilty on his trial, but released in July following.²

Bromley also appears to have been pardoned, at least there is no account of his execution. Rapin says that both he and Cromwell were confined in the Tower, their imprisonment in Fortescue's house being for a short time only.³

Sir John Fortescue was one of the Commissioners named in March of this year, to try some of Essex's principal accomplices. The Lord High Admiral, Lord Hunston Lord Chamberlain, and Sir Robert Cecil, being his colleagues.⁴ They found Sir Christopher Blount, Sir Charles Danvers, Sir John Davis, Sir Gilly Merrick, and Henry Cuffe guilty of high treason ; all of whom, except Davis, were beheaded. He was also upon a Commission, dated April 28, for arranging the fines, ransoms, and terms of pardon for others who had been implicated in Essex's rebellion.⁵ In this Commission a provision was inserted requiring the presence in a quorum of five Commissioners, of two of the following, viz., the Lord Keeper, Lord Treasurer, Lord Admiral, Sir Robert Cecil, or Sir John Fortescue.

Elizabeth, in the autumn of 1601, called her last Parliament. Sir John was chosen a Knight of the Shire for Middlesex ;⁶ his eldest son, Francis, succeeding him as one of the members for Buckinghamshire ; and his brother Thomas again sitting for Wallingford.⁷

The Houses met on the 27th of October, when he was again one of those who presented the Speaker (Mr. Recorder Crooke) to the Queen for her approval. His name does not occur more than a few times in this short Parliament ; once as supporting a subsidy proposed by Secretary Cecil, when his speech is thus noticed by D'Ewes.⁸

" Sir John Fortescue added this, ' that what pleased the House in the name of the subsidy to bestow, the same her Majesty did and would ever employ to their uses ; so that dying, it might be written on her tomb, *Quod occupatus vixit*, so that she dying liveth still, em-

¹ Brit. Mus. Add. MS. 6177, f. 135.

³ Rapin, ii. 153.

⁶ Rymer, vol. vii. part ii. pp. 20 and 22.

⁷ Lipscombe's Bucks, vol. i. p. 22.

² Burke's Extinct Peerage, Art. "Cromwell."

⁴ Camden, in Kennett, vol. ii. 638.

⁶ Willis's Not. Parl.

⁸ D'Ewes, p. 631.

ploying all to the safety of her subjects. And I beseech you remember that the Great Turk, when he conquered Constantinople, found therein three hundred millions of gold; If they,' quoth he, 'had bestowed three millions in defence of their city he could never have gotten it. From this blindness I pray God defend us, that he may never be backward to give four subsidies to her Majesty—for want whereof in time we may happen to lose that which will not be recovered or defended with a hundred.' ”

The necessity assigned for this very large demand was the continuance of the war with Spain; and especially the presence of a body of Spanish troops in Ireland, who held the town of Kinsale.

On the 9th of December he votes in a division of which an account remains¹—a question was put from the Chair, for which several members cried “I, I, I,” but when the doors were opened no man offered to go forth; upon which a member (Mr. Martin) observes that “ever in this Parliament the Noes upon division of the House have carried it. The reason whereof, as I conceive, is because divers are loth to go forth for losing of their places, and many that cry ‘I’ will sit still with the No. I therefore do but move this unto the House, that all those that have given their I, I, would according to their consciences go forth; and for my part, said he, I’ll begin. Sir Walter Raleigh rose up to answer him, but Mr. Comptroller and Sir John Fortescue rose in a hurry to go forth,” and all the House upon seeing them did likewise, and so did not hear Sir Walter.

The same day, upon a motion against the continuance of a tax of threepence per ton on shipping in Dover harbour,² Sir John said, quoting Latin according to his custom, “The Proverb is *tractent fabrilia fabri*. The gentleman that first spake had not so good instructions as he might have had: There be Brew-houses and Bake-houses for the provision of Victuals for Shipping; The Haven will receive ships of three hundred tons, and is most necessary for the passing of all merchants: The Tax is small, and times may be when the Haven shall need a great tax at one time: And if this should be taken away, what then? And therefore I think it most fit to be continued.”

On the 19th of December, 1601, the Queen in person dissolved the Parliament.

In January, 1602, Fortescue was on a Special Commission with the Earl of Nottingham, Sir Robert Cecil, and a few more, to treat with French Commissioners for the suppression of piracy on the high seas.³

On the 13th of February he was present at a Court in the Star Chamber, where Lord Keeper Egerton, by the Queen’s command, made to the lords present a speech notifying her Majesty’s wishes upon various matters civil and religious.⁴

If Elizabeth ever visited Sir John at Salden, it was in the year at which we have now

¹ D'Ewes, p. 675.

³ Rymer, vol. vii. pt. ii. p. 23.

² Heywood Townsend, p. 308.

⁴ Heywood Townsend, p. 355.

arrived, 1602. Under the date of July 8th, it is recorded: "We have speech of a progress to begin towards the end of this month, first to Sir John Fortescue's in Buckinghamshire."¹ I have not been able, however, to find any account of her presence there.

The Queen had by this time rewarded her Minister's services with many lucrative places. A few months before, on the 16th of September, 1601, he was appointed Chancellor of the Duchy of Lancaster for ten days only; the office was then put into Commission until the 4th of November, when he had a renewal of the patent during the Queen's pleasure; thus now, and until the death of Elizabeth, he was Master of the Great Wardrobe, Under Treasurer of the Exchequer, Chancellor of the Exchequer, and Chancellor of the Duchy of Lancaster.² Mr. Napier remarks upon this last appointment, that few Ministers perhaps ever held so many offices at the same time as Sir John Fortescue. Besides the above, he was made, in January, 1601, Recorder of Cambridge, in succession to Lord Keeper Egerton.

Somewhere about this period Archbishop Hutton preached before, or rather to, the Queen at Whitehall³ a sermon on the duty of naming her successor, in which he went so far as to say, "that the expectations of all writers went northward, naming, without circumlocution, Scotland." Elizabeth, although when he finished she opened the window of her closet, and thanked the preacher for his very learned sermon, took much offence, and sent Sir John Fortescue and another councillor to him, "with a sharp message, to which he was glad to give a patient answer; telling Harrington, who has left us this account, when asked by him for a copy, that he durst not give a copy to any one, for that the Chancellor of the Exchequer, Sir John Fortescue, and Sir John Woolley Chancellor of the Order of the Garter, had been with him from the Queen with such a greeting that he scant knew whether he was a prisoner or a free man; and that the speech being already ill taken, the writing might exasperate that which was already exulcerate."

On the 29th of January, 1603,⁴ we find Fortescue, for the last time in this reign, named on a Special Commission, whose duties were important and responsible; for the Commissioners had powers, in the words of the patent, to "exile and banish out of the realm all Jesuits and Seminary Priests, as well as Wandering and Massing Priests, as seducers of our loving subjects."

The death of the Queen, whose health had been failing for some months past, took place on the 24th of March in this year (1603), and was much felt by Sir John who had been so long and intimately connected with his royal mistress. The Privy Council met almost immediately upon her death. She breathed her last at three o'clock in the morning, and the

¹ Nichols's *Elizabeth's Progresses*, vol. ii. p. 21.

² Napier, *Swyncombe*, p. 400; and Note A in Appendix.

³ Strickland's *Queens of England*, vii. 221, from Harrington's *Memoirs*.

⁴ Rymer, vol. vii. part ii. p. 61.

councillors assembled three hours later. Sir John was one of those present; and his signature is attached to the proclamation which was then drawn up and published,¹ declaring, "with one heart, and consent of tongue and voice, that the high and mighty prince James the Sixth of Scotland is now, by the death of our late sovereign queen of England of famous memory, become also our only lawful, lineal, and rightful Liege Lord James the First."

*The Lord Cheiffe Justice of
England. s^r John Popham.*

*The Chancellor of y^e Exchequer.
s^r John Fortescue.*

*The principall
Secretary
s^r R^t Cicell*



He was again present,² four days after, at a council, when letters were addressed to the Commissioners at Bremen, announcing the accession of James.

The Queen's funeral took place on the 28th of April, at Westminster, the ceremony being very much arranged by Sir John, as appears by his statement of charges for the same³

¹ Strype's Annals of Reformation, vol. iv. p. 516.

² Rymer, vol. vii. part ii. p. 63.

³ Brit. Mus. Add. MS. 5751, fol. 45.

which is given in the Appendix; as well as by an order of the 16th June, 1603,¹ directing payment to him of 3000*l.* towards the expenses.

The woodcut represents part of the funeral procession,² taken from a roll twenty-eight feet long, with numerous figures, the principal personages having their names written over them; the whole being the work of William Camden, Clarencieux Herald.

With the life and reign of Elizabeth the career of her faithful Minister almost closes. His health had become weak, and his years were not few. He shared in the apprehension that the Scotch King would be swayed rather by Ministers chosen from among his own countrymen, than by those of his predecessors on the English throne, and he was one of those who thought that James ought to be asked, upon his accession, to agree to certain conditions, and to sign certain articles calculated to set bounds to his expected importation of needy Scots. Osborne in his *Memoirs* thus writes:—

“The hopes of some and fears of the major part, assisted by the prudent carriage of the Treasurer, and ranting protestations of the Earl of Northumberland (that in all places vapoured he would bring him in by the sword) had stopped their mouths that desired (in regard of the known feud between the Nations English and Scotch) he might be obliged to articles; and amongst these noble and public spirits were Sir John Fortescue, Sir Walter Rawly, and the Lord Cobham.”³

Lloyd also, in his “*State Worthies*,”⁴ mentions Fortescue’s and Raleigh’s “design of articling with King James at his first coming.”

And Bishop Goodman, in his *Memoirs*, says, “At the time it (the question of making terms with James) was debated in Council, I have heard it by credible persons that Sir John Fortescue, Chancellor of the Exchequer, did then very moderately and mildly ask whether any conditions should be proposed to the King. Which the Earl of Northumberland then hearing, protested that if any man should offer to make any proposition to the King, he would instantly raise an army against him.”⁵

It is mentioned by another authority that, “when Thomas Lord Grey, at the accession of James the First, was for demanding an engagement from the King for the liberties of England, he was seconded only by Sir John Fortescue.”⁶

We may remark, that this Lord Grey was the son of Arthur Lord Grey de Wilton of Whaddon, against whom Sir John Fortescue brought a complaint for trespass, as before detailed.

¹ Napier, *Swyncombe*, p. 400, quoting *Devon’s Issues of Exchequer*, James I., p. 3.

² The original is in the British Museum.

³ Osborne’s *Memoirs of King James I.*, London, 1658; and Oldmixon, vol. ii. p. 15.

⁴ Lloyd, *State Worthies*, 2 vols. 8vo., 1716, vol. i. p. 442.

⁵ Bishop Goodman’s *Memoirs*, quoted by Horn in *Buck’s Records*, vol. i.

⁶ Carte Papers, vol. lxxx. f. 439.

The Rev. Mr. Horn, in his sketch of Sir John's life, has inserted a passage from "Lord Northampton's Letters to the Earl of Marr," written, it seems, before the Queen's death, which shows that the prospect of King James's succession was not one to which Fortescue looked with satisfaction. It is as follows:—

"Sir John Fortescue, speaking awhile ago with a dear friend of his own, of the weakness of the time, said that his comfort was, that he was old and weak as the time itself, being born in the same year with the Queen; but yet he would advise his son to take a right course when the hour came, without taking knowledge in the meantime of any person or pretention; for he had found by experience that they that met Queen Mary at London were as well accepted (standing free from further combination) as they that went to Framlingham; and that they that came into the vineyard *horâ undecima* (at the eleventh hour) had *denarium* (a penny) as well as they that had sweat before all their fellows."

"The practice of opponents, as he thought, would cause the labour of all men to be holden and accounted meritorious that had so much discretion as in the meantime to be silent and indifferent."

His conduct was very different from theirs, of whom Camden tells us that, "As soon as the Rumour was confirmed that the Queen's illness increased upon her, 'tis hardly credible with how forward a zeal all Ranks and Conditions of men, Puritans, Papists, and others, hastened away at all times and hours, by sea and land, into Scotland, to pay their adorations to the Rising Sun, the young King;" and yet he avoided the displeasure under which both Raleigh and Cobham fell;¹ they being forthwith forbidden the Court.

James arrived in the neighbourhood of London immediately after the funeral of the late Queen, in May, 1603; and halting at Broxbourne in Hertfordshire, at the house of Sir Henry Cock,² cofferer to Queen Elizabeth, he there, on the third of May, was met by the great officers of State; among whom was Sir John Fortescue, who is styled in the record "Chancellor of the Exchequer to our Lord the King;" James having at once, by a warrant, continued in their employments all the Ministers of his predecessor.

For some reason, however, unexplained except by James's desire to provide for his favourites, Fortescue was not continued as Chancellor of the Exchequer and Under Treasurer beyond the 24th of May in this year, on which day Sir George Home the new Earl of Dunbar one of the newly arrived Scotchmen³ and James's reigning favourite, was appointed to both those offices.⁴ Sir John was, at the same time, confirmed in the Chancellorship of the Duchy of Lancaster, and of the County Palatine of Lancaster,⁵ to be held during his life; the patent, dated May 20th, reciting that these appointments were on

¹ Oldmixon, ii. p. 17.

³ Napier, from Aud. Pat. No. xi. ff. 49, 50.

⁵ Napier, from Duchy of Lancaster Office.

² Rymer, vii. part ii. p. 65; Oldmixon, ii. 14.

⁴ Oldmixon, vol. ii. p. 14.

account of *tam veri fidelis et acceptabilis servitii nobis per dilectum et fidelem consiliarium nostrum Johannem Fortescue Militem, ante hoc multipliciter impensi, quam pro aliis causis et considerationibus, &c. &c.* A Patent,¹ dated May 24th, reappoints him Master of the Great Wardrobe.

Before the arrival of King James in London Fortescue had apologized for his inability to travel to Scotland by reason of weak health.

The letter follows here :²—

Sir John Fortescue to the King.

Most high and mighty prince, my most gratiouse Sovereigne.

May it please your majesty, if myn age and unhabylytye of body cold aswell beare travell as my hart is desirouse to do youe service, I wold haue foreboren writing and haue ben messenger myself and partaker of the joye w^{ch} the sight of your Royale person ingraveth in the harts of your dutifull subjects, in that it hath pleesed god of his infinite mercy, by most just and lawfull succession to place yo^r ma^{tie} in the imperiall crowne of your Realmes and Dominions. I served my late mistres and deare soveraigne 48 years, neere about hir person, w^t fidelyty, and sinceryty of hart and mynd: your ma^{ty} greate favour in respecting so poore a man in contynuing me in place, I do with all humilyty acknowledge to procede from your most princely goodnes w^t owt any desert of myn: for which I can make no other satisfaction then to devowe my self and all myn to your most Royall service: praying the Lord no longer to contynue lief, neither in me nor any of my posterityte, then we shall from tyme to tyme to the uttermost of our powers performe dutifully the same. And so holding it better to leaue your majesty to your princely cogitations then w^t my rude writings to interrupt your Royall affaires: in all humblenes and duety I comend your ma^{ty} to our Lords protection, who give you longe life, happye days, felicityte in your affaires and contynuall prosperouse raigne, as in your princely wisdome youe can best wish them: this 16th of Aprill, 1603.

Your ma^{ty} most bounden and faithfull servaunte and subject,

J. FORTESCUE.

To the kings most excellent majesty.

A visit from the new King, which Sir John received at Hendon, was very likely made on the Royal progress to London after his stay at Broxbourne and Theobald's.

Nichols writes:—"We next find the King at Sir John Fortescue's, at Hendon, when he knighted Sir William Fleetwood, of Buckinghamshire, and Sir Thomas Hesketh, of Lancashire."³

¹ Napier, from Aud. Pat. No. xi. ff. 49, 50.

² The original is among the Cecil Papers at Hatfield.

³ Nichols's Progresses of James I., vol. i. p. 165.

A little later his new sovereign honoured Fortescue by a visit at Salden. The King arrived there on the 27th of June, 1603;¹ having joined his Queen, Anne of Denmark, and his eldest son Prince Henry on that day at Easton-neslon Sir George Fermor's seat; from whence "after dinner they rode together to the house of Sir John Fortescue, at Salden;² where there met them many great ladies to kiss the Queen's hand, the principal of whom were the Marchioness of Winchester, the Countess of Northumberland, and the Countess of Southampton."

Sir John entertained his royal guests with great state and splendour in his magnificent house for several days.

Nevertheless, in a letter to Lord Cecil, dated "from my poore house in Westminster Abbey," July 5, 1603, he apologizes for some supposed deficiency in the treatment of the Sovereign: he prays Cecil, "as it may light in your way to excuse the faults and too bad entertainment of their Majesties at Salden, which should and ought to have been much better if I could have gotten provision according to my desire, but now am driven to resort to his Majesty's goodness to take in good part the willingness of his poor servant."

The King while at Salden created many knights, all of whom were hospitably received by his host.

The list of the newly-made knights,³ which probably contains more names than were knighted during the forty-four years of Elizabeth's reign, and yet does not profess to give them all, is as follows:—

Sir William Dunche, of Berkshire,
 Sir John Dyve, of Bedfordshire,
 Sir Gerard Throckmorton, of Gloucestershire,
 Sir John Croke, of Oxfordshire,
 Sir Richard Chetwode, and
 Sir Robert Harewell or Hartwell, of Northamptonshire,
 Sir Richard Price, or Pryce, of Hunts,
 Sir James Heydon, of Norfolk,
 Sir Thomas Snagge, of Somersetshire,
 Sir Francis Cheney,
 Sir Henry Longueville,
 Sir Henry Drury,

Sir William Burlacy, or Borlace,
 Sir Thomas Denton,
 Sir Anthony Tyrringham, and
 Sir John Sandes, all of Bucks,
 Sir Richard Huntley, and
 Sir Thomas Hyde, or Hill, of Kent,
 Sir Thomas Cave, of Northamptonshire,
 Sir Thomas or John Carrell, of Suffex,
 Sir John Townsend,
 Sir Henry Billingley, of London,
 Sir Adrian Scroop, of Lincoln,
 Sir Thomas Temple, of Bucks.⁴

With some others whose names have not been ascertained.

¹ Napier, p. 402; Strickland, vii. 405; Oldmixon, ii. 15.

² Stowe, p. 823.

³ Lipscomb's Bucks, iii. 427.

⁴ Brown-Willis's MS.; Parochial Hist. of Bucks.

The next list differs from the foregoing, including also, as will be perceived, knights made at Sir Francis Fortescue's, and at Mr. George Fortescue's.

Knights¹ made at

Sir Francis Fortescue's	{	Alexander Brett	1603
		William Burlace	"
Sir John Fortescue's	{	William Chadwell	1603
		Frauncis Cheney	"
		Thomas Cave	"
Sir John Fortescue's	{	William Dunche	1603
		John Dyues	"
		Henry Drewry	"
		Thomas Denton	"
Sir John Fortescue's	{	Henry Longfeild	1603
		Edward Lee	"
		Frauncis Moore	1603
		Robert Mackland	"
		Henry Mountague	"
		Thomas Mildmay	"
		William Meredith	"
		Lewes Mansfeild	"
		John Meares	"
		Thomas May	"
		Robert Mounson	"
		Edward Moumford	"
		Charles Morgan	"
		Rowland Morgan	"
		Thomas Mildmay	"
George Fortescue's	{	William Mynne	"
		Edward Marbury	"
		Arthur Manwayring	"
		Raphe Maddifon	1603
		Robert Myller	"
		Henry Maxie	"
		Richard Pryce	1603
		Thomas Snagge	1603
		John Sandes	"
		Adryan Scroope	"
Sir John Fortescue's	{	Anthony Teringham	1603
		John Townsend	"

¹ Harl. MS. 3320, f. 244.

Nichols, in his *Progresse* of James I., says, "that at Sir John Fortescue's the King held a regular Court for the despatch of Public Buſineſs, and that among other matters there tranſacted was a releaſe of the Earl of Mar from the guardianship of Prince Henry."

Dudley Carlton writes to Sir Thomas Parry, from London, on the 28th of June :—
"The Queen lieth this night at Sir John Fortescue's, where the King meets her; it is expected the two Courts being joined will produce ſomewhat extraordinary."

Although the King and Queen actually met for the firſt time at Sir George Fermour's, when the former arrived on his journey from the South, and the Queen on her way from Grafton Regis, yet, as they only dined there, it may be correctly ſaid that the two Courts were firſt together at Salden.

From Salden James proceeded to Windſor, where he held a chapter of the Order of the Garter, and diſpenſed further honours with a laſh hand, creating a number of Knights of the Bath, one of whom was Sir Francis Fortescue, eldeſt ſon of Sir John.¹

In Auguſt he received from the King a grant of the reversion of three manors in Oxfordſhire and Wilts. The terms of the deed are ſo laudatory, that it would ſeem as if the favour was *bonâ fide*, and not merely a grant in return for purchaſe-money. It contains the following :—

"Sciatis quod Nos pro et in confideratione boni veri fidelis et acceptabilis ſervitii per Johannem Fortescue Militem unum Privati Concilii noſtri, et Cancellarium Ducatus Noſtræ Lancaſtriæ prædicti, tam præfata præclariffimæ Sorori noſtræ Elizabethæ Reginæ defunctæ quam Nobis multipliciter antehac facti et impenſi, de gratia noſtra ſpeciali ac ex certa ſcientia et mero motu noſtris, Dedimus et Conceſſimus ac per præſentes pro nobis hæredibus et ſucceſſoribus noſtris Damus et Concedimus præfato Johanni Fortescue Militi, prædicta maneria noſtra de Aſcote, Berwicke, et Eſterton in dictis Comitatibus Oxoniæ et Wiltes."²

On the 25th of July, 1603, when James and his Queen were crowned, the ſervices of Fortescue as Maſter of the Great Wardrobe were again in requiſition.

He received in December the ſum of 2000*l.* in full payment of 5000*l.*, limited to be defrayed by him towards the charges on this account.³

A Parliament was called on the 19th of March, in 1604, to which Sir John was elected, but not, in the firſt inſtance, for Middleſex. He was returned under remarkable circumſtances for Buckinghamſhire, for which he had before ſat. The conſequences of his election

¹ Stowe's *Annals*, p. 827.

² Grants, &c., 36 Elizabeth to 2 James I., f. 292, p. 7, in *Duchy of Lancaſter Office*.

³ *Devon's Iſſues of the Exchequer*, James I., p. 7. Quoted by the Hon. and Rev. Henry Napier in his excellent topographical work, "*Hiſtorical Notices of the Pariſhes of Syncombe and Ewelme*," Oxford, 1858, where will be found a full account of the various grants of manors, offices, and emoluments made from time to time to Sir John Fortescue by Queen Elizabeth and King James, ſee p. 400 *et ſeq.*

were so important in a constitutional sense, that the details which are subjoined will be read with interest.

Sir John Fortescue, Sir Francis Goodwin, and Sir William Fleetwood were the candidates for the representation of their county at the election held on the 25th of January at Brickhill, by Sir Francis Cheney High Sheriff of Bucks. Of these three, the two last were chosen; but Sir George Coppin the Clerk of the Crown, by direction of Chancellor Egerton, now become Lord Ellesmere, refused to receive the return, pronouncing Goodwin ineligible, because there had been a judgment of outlawry against him. The Chancellor then declared the seat vacant, and issued a writ for a new election. Sir John Fortescue was then elected in Goodwin's place, and when Parliament met, claimed the seat. But the House of Commons set aside his return, and declared Sir Francis duly elected. After a long controversy, in which the King interposed, but in which the Commons remained firm, a compromise was agreed to, whereby Goodwin and Fortescue were both set aside, and a new writ issued under the Speaker's warrant; and the House having thus established its right to judge of the elections of its members, has ever since enjoyed it—neither the Crown, the House of Lords, nor the Privy Council venturing to interfere with its decisions. The whole case will be found in print in the journals of the House of Commons, from which I take a few extracts.

March 29th, 1604.

The King informed the Commons that "For his part he was indifferent which of them was chosen, Sir John or Sir Francis. That they could expect no special affection in him, because this (Sir John) was a Counsellor not brought in by himself."

April 2nd, 1604.

The Sheriff of Buckinghamshire Sir Francis Cheyne was examined, and asked—

First. "Why he removed the County from Aylesbury to Brickhill?"

He saith, "It was by reason of the Plague being at Aylesbury, the County being the 25th of January, at which time three were dead of the Plague there. This was the only motive of removing his County."

Second. "Whether he were present at the first Election?"

He saith, "He was present, and was as faithful to writ this second place to Sir Francis Goodwin, as the first to Sir John Fortescue. He sent Sir Francis Goodwin word before the Election, he should not need to bring any Freeholders, for the Election he thought would be without scruple for them both; first to Sir John, second to Sir Francis. About eight of the clock he came to Brickhill; was then told by Sir George Throckmorton, and others, that the first voice would be given for Sir Francis; he answered, He hoped it would not be so; and desired every Gentleman to deal with his Freeholders.

"After eight of the clock there went to the Election a great number, then being at the County. After the writ read, he intimated the points of the Proclamation; then jointly propounded Sir John Fortescue and Sir Francis Goodwin.

"The Freeholders cried first 'A Goodwin, a Goodwin:' Every Justice of the Peace on the Bench said 'A Fortescue, a Fortescue;' and came down from the Bench before they named any for a second place, and desired the Freeholders to name Sir John Fortescue for the first. Sir Francis Goodwin being in a chamber near, was sent for by the Sheriff and Justices; and he came down and earnestly persuaded with the Freeholders, saying Sir John was his good friend, and had been his Father's, and that they would not do Sir John that injury.

"Notwithstanding the Freeholders would not desist, but all cried 'A Goodwin, a Goodwin,' some crying 'A Fortescue,' to the number of sixty or thereabouts, the other for Sir Francis Goodwin, being about two or three hundred: and Sir Francis Goodwin to his thinking, dealt very plainly and earnestly in this matter for Sir John Fortescue; for that Sir Francis Goodwin did so earnestly protest it unto him."

Third. "Who laboured him to make the Return so long before the day of the Parliament?"

"He, the Sheriff, being here in London, Mr. Attorney-General, the second of March, at his chamber in the Inner Temple, delivered him two *Cap. Utlagat.* against Sir Francis Goodwin; and before he made his Return, he went and advised with Mr. Attorney about his Return, who penned it, and so it was done by his direction. And the Return being written, upon Friday after the King's coming through London, near about my Lord Chancellor's Gate, in the presence of Sir John Fortescue, he delivered the writ to Sir George Coppin. And at this time, it being about four of the clock in the afternoon, and before they parted, Sir John Fortescue delivered him the second writ sealed; Sir John Fortescue, Sir George Coppin, and himself, being not alone an hour together at that time, and never had but this new Writ of Parliament to him delivered."

Sir John did not stand again for Buckinghamshire, where the vacant seat was filled by Sir Christopher Pigott; but he was not long out of Parliament, being chosen again for Middlesex in the beginning of the next year, in the room of Sir Robert Wroth.

Sir Edmund Hoby writes to Sir Thomas Esmonde on the 7th of March, 1605: "Sir John Fortescue is chosen Knight of the Shire of Middlesex in Robert Wroth's room."¹

"The 24th of February Sir John Fortescue appeared in the Parliament House."

We have the following letter written about this time:—

¹ See Court and Times of James I., vol. i. p. 61, 2 vols. 8vo. 1848.

May it please your Lordship: at your Last being at westm^r it pleased
yone to have some communition touching a match between this Leaver
m^r Danvers and your Cousin m^r Dorothea pulterey: w^{ch} matter sⁱⁿs
hath as I am enformed further proceeded and given towards some
conclusion: I humbly pray yone that yone will be pleased to take some
paynt and care in the finishing of a well begonne word I trust
and that your I will royn on m^r shurley therein: whatsoever
condicions yone shall think mete I will thereto assent if my
babylyty of body wote beare it I wote travell my self for their
good. But now I am dryven to implore your I and in taking
care in m^r ~~shurley~~ shurley to finish the matter: the wyntow is
offrid to be ~~so~~ ^{so} yerely or if although it be so litle yet I do allow
thereof if your I ^{be} like the lying although not great yet
if the yonge man prove thrifty (as I hope he will) is tollerable
the perbularityes m^r shurley will assigne your I. or shall
and therefore I leave the same to your wisdomes: this day
the league betwen the Eng^{ish} ma^{tie} and the King of Spaygne
was finished and solemnly sworn so that now the amytie is perfected
his ma^{tie} goeth on his progres to Buckingh^m and cometh to Grafton
or Euston: my sonnes children having ben visited in the small
pocky at satden hath diverted all comyng to my house at this
tyme: and yet I am found out for the Lone of 200 w^{ch} I have
paid: I think your I shall tast of the like measure: I wote gladly
have sent yone better news. but now recommending yone to the
Lord tricon I wish yone helth in increase of honour At my
poore Lodging at westm^r this xvij of August 1604

Your I most bounden poore
frende ready to do yone service,

To the right Honorable my
very good Lord the Lord
Spencer yone there

John Fortescue

*The Right Honourable Sir John Fortescue to the Lord Spencer of Wormleighton.*¹

May it please your Lordship. At your last being at Westminster it pleased you to have some communication touching a match between this bearer Mr. Danvers, and your cosyn Mrs. Dorothee Pulteney; which matter since has as I am informed father proceeded and growen towards some conclusion; I humbly pray you that you wilbe pleased to take some payne and care in the fynyshing of a well begonne work I trust and that your Lordship will joyn with Mr. Shurley therein; whatsoever conditions you shall think mete I will thereunto assent, if my habylty of body wold beare it I wold travell myself for their good, but now I am dryven to implore your Lordship and in taking care with Mr. Shurley to fynysh the matter: The joyntour is offred to be 99*l.* yerely which although it be so litle yet I do allow thereof if your Lordship so like, the lyving although not great yet if the yonge man prove thrifty (as I hope he will) is tollerable. The perticularytyes Mr. Shurley will acquaynt your Lordship withall and therefore I leave the same to your wisdomes.

This day the League between the Kings Majestie and the Kinge of Spayne was finished and solemly fworen, so that now the amytye is perfected his Majestie goeth on his progres to Rockingham, and cometh to Grafton or Easton.

My sonnes children havynge ben visited with the small pocks at Salden hath diverted all comynge to my house at this tyme; and yet I am found out for the lone of 200*l.* which I have paid; I think your Lordship shall tast of the like measur.

I wold gladly have sent you better news, but now recomending you to the Lord's tuicion I wish you health with increafe of honour.

At my poore lodging at Westminster this xviii of August 1604.

Your Lordship's most bounden poore frende ready to do you service,

J. FORTESCUE.

Endorsed:—"To the right Honorable my
very good Lord the Lord
Spensar geve these."

Lord Spencer was Sir Robert Spencer, created Baron Spencer of Wormleighton about a year before the date of this letter, on the 21st of July, 1603; he was ancestor of the present Duke of Marlborough, who has the barony.²

Mrs. Dorothy Pulteney here mentioned, appears to have been Dorothy Spencer, widow of Gabriel Pulteney of Leicestershire; if so, she was a distant cousin of Lord Spencer's, and her first husband was probably connected with Sir John Fortescue through the marriage of his daughter Margery to Sir John Pulteney of Misterton, in Leicestershire.

¹ The original is in Lord Clermont's possession.

² Collins's Peerage of England, vol. i. p. 389.

The Pulteneys and Shirleys were also connected by a marriage, in Elizabeth's reign, between Sir Thomas Pulteney of Mifferton, and Anne, daughter of Sir Ralph Shirley.¹

Sir John would have been honoured, and taxed, by another Royal visit at this time, if it had not been for his grandchildren's infectious illness. James was not ashamed to borrow money from his courtiers, who seldom expected, and more rarely received payment of their loans. Lord Spencer was said to have had more ready-money than any other man in England.

The Rev. Mr. Horne, in his paper on Mursley with Salden, printed in volume i. of "Records of Buckinghamshire," says that at Swanbourne, near Salden, "The old manor house was probably built by the Fortescues; and tradition reports that the house was used as a nursery for children of the family when ill or infected with fever; perhaps on account of the greater mildness of the air there, than at Salden;" the latter being placed on high ground in an exposed situation.

Although Sir John became a member of the Parliament for whose destruction the Gunpowder Plot was formed in 1605, his name does not once occur in the recorded proceedings during any of its Sessions, and he died during its continuance.

King James appears now to have been a third time his guest; on this occasion at Langley in Wychwood Forest, in Oxfordshire, where Sir John probably had a house as Keeper of that forest and of the adjoining park of Cornbury.²

This entry is found in an Itinerary prepared for the King on his progress to Oxford in 1605:—

"August 20, 1605.

"From Woodstock to Langley Sir John Fortescue's—For the King 3 nights. 10 miles."³

Upon this visit, and Fortescue's favour with the King, Osborne makes the following quaint remarks:—

"Though this remains upon record; that brave Fortescue, that did first oppose this Scotch succession but upon caution, enjoyed his liberty, without any more considerable loss than sustained by the exchange of the Chancellor's place in the Exchequer; for that in the Duchy of Lancaster, remaining to the last a Counsellor; Whereas Northumberland that had drawn his sword in his favor was made captive, disgraced, and insulted over by his enemies."

¹ Collins's Peerage of England, vol. iv. p. 95.

² It will be seen by a document printed further on indorsed, "Sir J. Fortescue's means of gain," that he had the "Fosterhip" of Whichwood Forest and Cornbury Parks.

³ Nichols's Progresses of James I., vol. i. p. 518.

“Nor had Fortescue better success when by a huge entertainment at Cornebury he went about to oblige the King, for, as Tomlins once his secretary, told me, He at his parting laught, and made an unseemly gesture in the Porch.”

“Wherefore we may note it as equally pernicious to oblige a Prince above a reasonable requital, as to oppose him beyond the extent of a moderate patience.”¹

Two letters to Sir Julius Cæsar here follow. The first, written on the very day of the discovery of the Great Plot. It does not appear who was the Mr. Knaplock connected by marriage with the writer.

The Right Hon. Sir John Fortescue to Sir Julius Cæsar.

S^r. Julius Cæsar, I am earnestlie to intreat yo^w on the behaulfe of this bearer M^r. Knapplocke (who hath married my neere Kinswoman bothe of name & blood) The Estate of whose busines is allreadie sufficientlie knowne vnto yo^w, in that (as hee informeth mee) yo^r felfe was p^rsent beinge Judge of Admiralltye at the tryall of Captein William Fenner and dyvers of his companye neere xxiiij yeares past for the takinge at sea of one Burdon a Frenchman, For w^{ch} supposed offence bothe Capten Fenner and his Companye vppon their arraignment were founde not guiltye notwithstandinge w^h hee hath latelie bin questioned about this matter by one Younge, Burnell, and one Borradge, and convented before my Lorde Admirall, who hearinge the matter in the p^rsence of Younge hathe (as I am by M^r. Knapplocke informed) signified his Lo^{ps}. pleasure by lre vnto yo^w touchinge the same. My request therefore nowe vnto yo^w is that (the rather for my sake) yo^w will heerin favour him what yo^w maie to free him from the vnjust vexaco^{ns} and p^rsecuco^{ns} of theis informers. The w^{ch} yo^w shall fynde mee readie to requite in what I maie, as knowethe the Allmightie, to whose proteccoⁿ I comitt yo^w this vth of November,

Yo^r verie lovinge Freinde,

J. FORTESCUE.

Addressed:—“To my verie loving Frend S^r.
Julius Cæsar knight Judge of the
Admiralltye give theis.”

Endorsed:—“5 Novēb 1605. S^r. Jo. Fortescue
Ch. of y^e duch. on the behalfe of
M^r. Knaplock.”²

¹ Osborne's Memoirs, p. 67.

² Brit. Mus. Add. MS. 12,506, f. 348.

The Right Hon. Sir John Fortescue to Sir Julius Cæsar.

S^r. Julius Cæsar I haue heretofore wrytten vnto yo^w touching this Bearer M^r. W. Knaplocke, to whome it hath pleased my Lo : Admirall to affoord his vttermoſt fauo^r, for the clearing of him of ſuch Indi^ctem^{ts}. as depend againſt him, and for w^{ch} he hath latelie bin queſtioned by John Young, Burnell and one Borrage. Lett me intreat you (the rather for my ſake) to affoord him yo^r kinde and lawfull fauo^r, that his excepcōns to the insufficiencie of the Indi^ctem^{ts}. under M^r. S^rjeant Huttons and other his Councello^{rs} hande, may be accepted, and that according to Juſtice the Indi^ctem^{ts}. being insufficient by reaſon of thoſe manie, and manyeſt errors in them conteyned, there maie be (for him onlie) a *vacat* entred vpon them, for to Subject himſelf to a pardon may prove prejudiciall to him, and ſcandalous to his poſteritie, in that his Innocency touching thoſe offences, cannot in future tyme be knownen, althoughe now to vs theie are, and that it alſoe appeareth, that both Cap^{ten}. Fennor and 14^{ten} of his Companie being arraigned vpon thoſe Indi^ctem^{ts}. 24^{tie} yeares ſithence, (when the matter was freſhe and ernestlie followed by the Frenche men) were all acquitted and found not guiltie. What fauo^r yo^u ſhew him herein, ſhalbe requited by me in what I maie, for I would not willinglie have him blemiſhed, in that he hath married my neere kinſwoman both of name and Blood. And ſoe I committ yo^u to the proteccōn of the Almightye. From my Howſe at Weſtminſter this laſt of November, 1605.

Your affured loving frende,

J. FORTESCUE.

Adreſſed :—“ To my verie Lovinge Frend S^r.
Julius Cæſar Knight, Judge of the
Admyraltie, theiſ.”¹

About this time² there was a general expectation that Sir John Fortescue would have been made a peer. A barony was indeed offered to him, but declined, “he being a very modeſt and diſintereſted perſon.”

Sir Henry Neville thus writes to Winwood, the ambaffador, March 1ſt, 1606 :—

“ We are in ſome expectation of a creation of four barons, namely the Lord Chief Juſtice (Gawdy) Mr. Attorney (Coke), Sir John Fortescue, and Sir Thomas Kniviet, who was a fortunate inſtrument to diſcover the Powder.”³

On the 27th of March he, with the other great officers, is made a party to a deed by which the King annexes to the Crown for ever certain jewels,⁴ according to a ſchedule including “ many Royal and Princely Diadems, Crowns, Coronets, Circlets, Collars, Borders, and other Jewels of great Eſtimation and Value.”

¹ Brit. Mus. Add. MS. 12,506, f. 352.

³ Nichols's *Progreſſes of King James I.*, vol. ii. p. 37.

² Biog. Brit., iii. p. 2008.

⁴ Rymer, vol. vii. part ii. p. 146.

On the 23rd of October (1607)¹ the King granted him a last favour by giving to his half brother Sir Thomas Parry the reversion of the Chancellorship of the Duchy of Lancaster. To effect this, Fortescue resigned his patent, and took out a new one granting the Chancellorship to Sir John Fortescue for his life, and immediately after his death to Sir Thomas Parry for the term of his life.

The event contemplated in this arrangement was not long deferred.² Sir John died on Wednesday, the 23rd of the following December (1607). His death took place at his house in Westminster, and appears to have been at the last rather unlooked for, although we know that his health had been for some time failing.

John Chamberlain writes thus to Sir Dudley Carlton a week afterwards :—

“The day you went Sir John Fortescue died (as it seemed) ere he was aware, for he left no will, which is thought strange for a man of his years and state; so that his Wife carries away all the goods, and his daughter Poulteney the house, lands, and furniture here at Hendon in Middlesex.

“Sir Thomas Parry was put in present possession of his office at the Duchie.”

Sir John had reached a good old age, being at the time of his death well on in his seventy-fifth year.

The Earl of Pembroke writes to the Earl of Shrewsbury from Whitehall on Christmas Day, 1607 :—

“There is little news here stirring, but that Sir John Fortescue dyed on Wenfday last. Sir Thomas Parry shall have both his place and Councillorship.”³

In the first edition of this work I expressed regret at the disappearance of the portrait of Sir John Fortescue, mentioned by Browne-Willis as, in his time, hanging in the gallery at Salden House, and noticed by his annotator the Reverend William Cole, as having been seen by him at Mrs. Whorwood's, of Weston Underwood, about the year 1778. This was the latest record of its existence, and it eluded a long and careful search by myself and my friends before 1869. When preparing this edition for the press, I again set on foot a close inquiry in various directions, resulting in the discovery, last autumn, of the missing picture, which is now in my possession, and has been engraved for this volume.⁴

The following is an exact copy of an inscription which is painted on the dark background of the picture, giving the spelling of the original. The first line runs across the top of the canvas; the other lines are divided in half by the tall black hat on the head of the figure. The size of the canvas is 4 ft. 2 ins. by 3 ft. 4 ins. :—

¹ Napier, p. 403, from Bills for Offices, temp. James I., No. 94. Duchy of Lancaster Office.

² Funeral Certificate from College of Arms, and Camden's Annals of James I.

³ Lodge's Illustrations, Brit. Hist., iii. 338.

⁴ See note in Appendix to this Chapter.

"S^r Iohn Fortescue K^t Chancellor oF the Exchequer & Duche oF Lancaſtor Maſtor oF the Wardrobe & oF the Priue Councell to Queen Elizabeth & King James he built Salden Houſe & he was Son oF S^r Adrian Fortescue K^t Gentleman oF the Priue Chamber to King Henry the 8th Son of S^r Iohn Fortescue K^t Bannoret by King Henry y^e 7th Great Grandſon oF S^r Iohn Fortescue K^t Governor of Brye in France Vnder King Henry the 5th Linely Defended in the 9th Genoration From Richard Fortescue K^t Cup Barer to King William the Conqueror."

Of Sir John Fortescue in his private or ſocial life we know almoſt nothing, no contemporary having written his biography, and but little of his correſpondence having ſurvived. As a ſervant of the Crown, whether in the ſubordinate but confidential offices which he at firſt filled, or in the very high poſition to which he afterwards attained as a leading Miniſter of State, and engaged in matters of the higheſt importance, there is but one opinion among the writers of his day. Lloyd calls him an upright and clever man, prudent and pious.¹ Camden ſtyles him "*vir integer*," an honeſt man.² "Two men," Queen Elizabeth would ſay, "outdid her expectations,—Fortescue for integrity, and Walsingham for ſubtlety and officious ſervices."³ "Brave Fortescue—one of the noble and public ſpirits," is Osborne's language.⁴

Miſs Aiken ſays, "that in the diſcharge of his functions (as Chancellor of the Exchequer) he was diſtinguiſhed by moderation and integrity, ſo that in this important department of adminiſtration no oppreſſion was exerciſed upon the ſubject."⁵

He ſhewed patriotiſm and ſelf-reſpect on the acceſſion of James by quietly awaiting his arrival in England, inſtead of joining in the undigniſied ruſh of many of his colleagues to Scotland; and by propoſing in Council that the King ſhould ſtipulate to entruſt the conduct of Engliſh affairs to Engliſhmen; while his continued favour with James, although, as the King himſelf reminded the Parliament, "Sir John was not a Councillor of his bringing in,"⁶ beſpeaks prudence and moderation.

In Parliament he appears to have ſeldom ſpoken except upon ſubjects more or leſs connected with the finances of the country. "I will ſpeak of nothing but that which concerns my calling" was generally his maxim. He nevertheleſs was one of the leading ſpeakers when ſuch men as Bacon, Cecil, and Raleigh were his colleagues in the Houſe of Commons.

He was an excellent Greek and Latin ſcholar, and ſo fond of the claſſics that he often, even beyond the faſhion of the time, indulged in claſſical quotations in his ſpeeches and letters. He aſſiſted Sir Thomas Bodley with books for the great library which he had

¹ Lloyd's State Worthies, vol. i. 442.

³ Lloyd's State Worthies, i. p. 442, quoting Camden's words.

⁴ Osborne's Memoirs of Elizabeth and James I.

⁶ See the Goodwin and Fortescue Caſe in Houſe of Commons.

² Hearne's Camden, vol. iii. 613.

⁵ Aiken's Elizabeth, ii. 250.



St. John Fortescue K^t Chancellor of the Exchequer & Duke of Lancaster Master of the
 Wardrobe & of the Privy Council to Queen Elizabeth's King James he built
 Salden House & he was Son of St. Adam Fortescue K^t Gentleman of the
 Privy Chamber to King Henry the 8th Son of St. John Fortescue K^t
 Bannoret by King Henry 7th Great Grandson of St. John Fortescue
 K^t Governour of Breve in France Under King Henry the 5th
 Lively Decended in the 9th Generation From Richard Fortescue K^t
 Cup Bearer to King William the Conqueror.

The Right Honourable
 Thomas Fortescue Esq^r of the County of Down

lately founded at Oxford, "for which Sir Thomas held himself so much obliged that he gave particular directions for Sir John's being received with all imaginable respect when he went to visit the Library.¹

The following extracts from Bodley's Letters² will be interesting :—

"I am sorry the University's Letter to Sir John Fortescue is undelivered ; It is not ended as I could have wished if I had bin present ; but yet it will serve, though it serve the worse, for coming so slowly.

"I would request to know by your next to which of those that I have formerly named Mr. Vice-Chancellor hath addressed his Letters. For as a grateful acknowledgment is requisite, so speed in the doing will grace it much. Of Sir John's coming to you I can signify nothing yet.

"Burnham, *August* 14th."

"I thank you for putting me in mind of Sir John Fortescue's Catalogue, for which, God willing, I will take a time.

"London, *June* 10."

"I do not find upon my Catalogue a manuscript Scholia in Greek upon Sophocles of Sir John Fortescue's Gift ; which yet I do not doubt, but you shall find in your Closets.

"From London, *Jan.* 5."

"I am sorry, that I took not myself, at my being in Oxon, the names of those Rabbins, that have commented upon each Book of the Bible, in both of them that you have there, which is easily seen, by the meanest Hebrician, in the first Page of the first Volumes. And if it be so, that your self cannot prevail so much with any of those that are skilled, I pray you cause them to be intreated unto it, by some Doctor or other that can prevail so far. For I make a stay of another Bible here, until such time, as I may hear, whether it be the same, as any of those two, which I and Sir John Fortescue gave.

"London, *May* 11."

"I am very glad to hear of Sir John Fortescue's coming thither ; whom I know you will welcome, according to his Dignity, and Desert to that place. You shall do best, in my Judgment, to be so short, as he may not conceive it, to be much premeditate ; which will make so much more for your own Commendation. Howbeit I could wish, that the Joyners

¹ Biog. Brit., iii. 2008.

² Abstract of letters from Sir Thomas Bodley, in *Reliquiæ Bodleianæ*, London, 1703.

did return, out of hand, for the sooner finishing of those shelves. For their work in that Place, is no ill fight to Sir John or to any.

"London, Aug. 27."

"At my departure from Oxford last, M^r. Vice-Chancellor did promise, that I should have the Copies of such Letters as should be written to Sir John Fortescue, and the Bishop of Hereford, which I pray you procure and send unto me, and signify withal, by whom, and when they shall be sent.

"London, July 22."

"I will not forget to move Sir Jo. Fortescue, about the Catalogue of the Vatican Books; but I know not as yet whether he be here or no.

"London, July 22."

"I had forgotten in my last to signify unto you, that I agreed with the bargeman, that carried my Books, for 4s. I hope they arrived in safety, notwithstanding your Floods, which seem to me as strange as may be, considering you had so little rain. If M^r. Allen be pleased (for the Gift was his) I shall like very well, that another Book might be given in Exchange; albeit, I do not think (as you write) that we had the same before; unless it be a great part of the manuscript of Sir Jo. Fortescue, whereof I stand in doubt.

"London, July 6."

Sir John was at one time the owner of a very precious manuscript,¹ given to him by Queen Elizabeth. This was the oldest known copy of the Septuagint translation of the Old Testament, distinguished now as the "Codex Cottonianus." He presented it to Sir Robert Cotton for his collection, with which unfortunately it was almost destroyed in the great fire at Cotton House in 1731.

He was a particular patron of the learned antiquary Camden,² who, in his "Annals of Elizabeth," thus acknowledges his assistance, "Joannes Fortescuus qui mihi hæc scribenti in nonnullis lumen porrexit."³

Sir John's remains were laid in a temporary resting-place at Mursley⁴ for some months after his death, the funeral ceremony there being deferred until the 6th of July, 1608. It was arranged and directed by the above-named William Camden, as Clarencieux King-at-Arms. The antiquary had, shortly before Fortescue's death, "fallen from his horse, and dangerously hurt his leg; so that being perfectly lame, he kept up until the 4th of July following, at which time he went to order, set forth, and attend the funeral of Sir John For-

¹ Horne's Introduction to the Scriptures, vol. ii. 125.

³ Hearne's Camden, iii. 613.

² Biog. Brit., iii. 2008.

⁴ See Mursley Register, in Coles' MS.



Monument to the Right Hon^{ble} Sir John Fortescue and Cecilia his Wife,
in Murseley Church, Bucks.

tescue, knight."¹ The delay which took place may perhaps be accounted for by the foregoing fact.

I subjoin the funeral certificate, which has been copied for me by Mr. Planché, Rouge Croix, from the original in the College of Arms:—

The right honorable S^r. John Fortescue Knight, one of the priuie Councell to the late Queene Elizabeth and allso to our Soüaigne Lord King James, Channcellor of the Dutchie of Lancaster, departed this transitorie lyfe at his house in Westminst^r. in the yeare of our Lord God 1607 the 23 of Decemb^r.

The said S^r. John Fortescue married to his first wife Cecily, third daughter and coheire of S^r. Edmund Ashfeild of Totenho Knight: by whom he had yssue two Sonnes and one daughter, v^t. Sir Francis Fortescue Knight of the Bath, who married Grace, daughter of S^r. John Manners of Haddon Knight, by whome he hath yssue five sonnes and three daughters viz. John Fortescue eldest sonne 17 yeares of age, Roger second sonne 13 yeares of age, Gilbert third sonne 9 yeares of age, William fourth sonne 7 yeares of age, Adrian fift sonne 6 yeares of age. Dorothea eldest daughter 14 yeares of age, Francisca 10 yeares of age, and Maria 8 yeares of age. S^r. William Fortescue Knight second sonne to S^r. John as yeat vnmarried. Eleanor first married to Valentine Pigott, after to Edward Hubert, died w^hout yssue. After the said S^r. John Fortescue married to his second wife Alice daughter of Christopher Symth of Annabells by whom he had yssue one only daughter vz: Margery married to S^r. John Poulteneý of Misterton Knight, by whome he hath yssue two daughters, Alice, three yeares of age and Magdalen two yeares of age.

The funeralls of the abouesaid S^r. John Fortescue were solemnized according to his degree at Mursfeley in the Countie of Buckingham the sixte of Julye 1608, the principall Mourner being S^r. Francis Fortescue eldest Sonne and heire to the defunct, Assisted by S^r. Tho: Parry Chauncellor of the Dutchie of Lancaster, S^r. Henry Bromley, Sir Willm Fortescue second sonne to the Defunct, S^r. John Poulteneý, S^r. Edm: Fetiplace Knight, and M^r. Tho: Fortescue brother to the defunct. The Standard borne by M^r. Henry Fortescue, the Pennon by M^r. John Fortescue eldest sonne to S^r. Francis, Helme and Creaft by Willm Smyth, Rougedragon, Sword and Targe, by Samuell Tomfon Windefore Herauld, Coate Armour by William Camden Clarenceux King of Armes.

FRA : FORTESCUE.

A monument was placed in the church to Sir John and his first wife by their two eldest sons, Sir Francis and Sir William; it stands against the north wall of the chancel, above the tomb of their mother, so placed as to form one object with it. The annexed description is

¹ Wood's *Athenæ Oxonienses*, vol. ii. p. 482, article "Camden."

chiefly from Lipscomb's History of Buckinghamshire, compared by myself with the monument on the spot, on the 12th of August, 1863; and again, after the restoration of the tomb, on the 7th of August, 1867, and in a few particulars corrected:—

“On the north side of the chancel, projecting from the wall, is an old altar-tomb of Betherfden marble, with a brass fillet round the verge, with the words “Cæcilia Edmundi Ashfield Militis filia, Johannis Fortescue de Salden uxor. Obiit 7 Feb. A°. 1570.”¹



TRIA CVM HABERET MAXIMA CECILIA SANCTISS'
ANIMAM CONSTANTISS' FIDEM ET CASTISS: CORPVS
ALTERVM AD DEVM OPT: MAX: ALTERVM IN CHAR'
CONIVGIS PECTVS MIGRAVIT QVOD TERTIVM ERAT
HOC TVMVLO QVIESCIT VIXIT ANN: 29. MENS 3.
RELIOVIT EX NOVE M LIBERIS SVPERSTITES ROBERTV
FRANCISCVM GVLIELMV M THOMAM ELIZABETH:
ET ELIANORAM OBIIT 7 FEBRVARI 1570

Upon the tomb is an effigy in brass of a lady in rich brocade, with the following lines on a brass at her feet, shown in the woodcut: ²—

“Tria cum haberet maxima Cecilia, Sanctifs: Animam, constantifs: fidem, et castifs:

¹ Lipscomb's Bucks, iii. p. 429.

² Lipscomb has left out this inscription, which I copied myself from the tomb.

corpus, alterum ad Deum opt. max. alterum in chari conjugis pectus migravit quod tertium erat hoc tumulo quiescit, vixit ann. 29 mens : 3.

“Reliquit ex novem liberis superstites Robertum Franciscum Gulielmum Thomam Elizabeth. et Eleanoram.

“Obiit 7 Febrarii 1570.”

Above the tomb is an arch of stone, forming a mural monument, with black marble tablets; on the west or dexter side, under an arch, is this inscription:—

“Hic jacet Johannes Fortescue Miles, Magister Magnæ Guardarobæ, Cancellarius et Sub-thesaurius Saccarii, et de privatis conciliis Reginæ Elizabeth.”

On the sinister side, under an arch:—

“Postea anno primo Regis Jacobi factus Cancellarius Ducatus Lancastriæ—Vixit annos 76, et mortuus est 23^{mo} die Decembris anno Dⁿⁱ. 1607.¹

“Reliquit filios superstites Franciscum Prænobilis Balnei Ordinis Militem, et Gulielmum Militem, qui in Memoriam Patris defuncti hoc posuere.”

Under the arches are two figures kneeling, habited as a knight and his lady, cut in alabaster, painted and gilt. On a shield at the top of the monument are the arms of Fortescue, impaling for Ashfield, Argent, 3 estoils in fess point a trefoil, Gu.

On the opposite side of the chancel, that is to say, against the south wall, and directly facing the foregoing monument, is a larger one to the above-named Sir Francis, which may be conveniently described here while treating of the Mursley tombs.

It is a mural monument on the south side of the chancel, consisting of an altar-tomb with pilasters upon it, bounding a recess in which, kneeling at a desk, with books open before them, are represented, opposite to each other, a man in armour bare-headed, and a lady in a long black robe with a large quilted ruff, and a veil descending behind her shoulders. The cushions on which they kneel are finely bordered, fringed and tasselled, and the whole painted and gilt.

In front of the altar-tomb below, in a compartment, are the effigies of six sons and four daughters kneeling; two of the sons bearing skulls in their hands, to signify that they had died before their parents. At the top of the monument are the arms of Fortescue impaling Manners.

On each side are two smaller escutcheons of arms affixed to the pilasters. On the dexter side Fortescue impaling Manners, and below, on a very small lozenge, Manners singly: Throckmorton impaling Fortescue, Gu., a chev. charged with two bars, gemelles.

On a black tablet above the principal figures, and below the large shield of arms, is the following:—

¹ From Sir John's own account that he was born in the same year as was Queen Elizabeth, it follows that at the time of his death he had not completed his seventy-fifth year.

“ Reader

“ For example know that this monument was erected in pious memory of Sir Francis Fortescue of Salden, in the Countee of Bucks, Knt. of the Bath, eldest sonne of the Right H^ble. S^r. John Fortescue Knt. pryvie Councillor to Queen Elizabeth, and to King James, Chancellour to the Xchequer and Dutchie, and Master of the Wardrobe; and of Sicilie Daughter and Co-heir of S^r. Edmund Ashfield Knt; whose pietie, virtue, and religion made him revered; whose liberalitie in hospitalitie made him beloved; whose prudent care and zeal of his countries good made him honoured; and of Grace Daughter of Sir John Manners of Haddon in the Countie of Darbie Knight, second son of Thomas Earle of Rutland, and of Dorothea his Wife, Daughter and Co-heir of Sir George Vernonne Kn^t.; who in conjugall love, maternall care, domesticke discipline, charitable workes, and religion equalling Th^e ancient and best Christian Matrons, was 34 years his joyfull Wife, bare him 8 Sonnes and 5 Daughters, and in testimony of her everlasting loyaltie, not only remained till death his sorrowfull widowe, but also in memorie of their mutual love, erected this Monument at her own proper cost and charges.”

On a gravestone of white marble in the chancel is this inscription under the north monument, about two feet from the altar-step :—

“ Hic jacet per illustris Dominus Franciscus Fortescue de Salden, Eques Auratus in Comitatu Buckinghamiæ. Obiit Die 9 Novembris Anno Domini 1729, anno ætatis 67.

“ Requiescat in Pace.”¹

“ Eques Auratus ” ought to be “ Baronnetus ; ” this Sir Francis being the last Baronet of the family.

The chancel of Mursley church having been lately taken down and rebuilt by the rector, the Rev. John Crofs, I took that opportunity to cause the monuments to be completely repaired and restored. They were replaced in their old positions in the year 1866, with the following inscription on a brass plate:—

“ The three monuments of the family of Fortescue of Salden in this church were restored by Thomas (Fortescue) Lord Clermont, A. D. 1866.”

There are no other Fortescue tombs in this church besides those described, although several other members of the family were buried here, as the parish register testifies.

After Sir John's death the following memorandum was drawn up, for what purpose does not appear. It is preserved in the British Museum :—

¹ Mr. Lord's account of Mursley and Salden, in Rev. W. Coles' MS.

Sir John Fortescue kn^t. Chancellor and Under Treasurer of the Exchequer.¹

26 November, 1608.

1. Had by Her Majesties favour the signing of most bookes that pait of landes or any graunts out of the Exchequer.

2. Moveing of futes to her Majesty seconded by the Lord Treasurer, and the guift to the Earle of Effex of the for which the Earle gave him at one time for his neweyeregift by deede inrolled, sent unto him by Sir Gelly Merick, the Parke of Tickford in Buckinghamshire worth 350*l.* a yere, besides the woodes of greate valewe.

3. The Queene gave him at severall times divers leafes in reverfion of greate valewe for 60 yeres.

4. Likewise the Fosterfhip, in fee to the heires males of his body, of the Forest of Whichwood, and Corneberey Parkes in the County of Oxon, with the allowance of 40*l.* for the fame. And divers other thinges, as the keping of Hatfield Houfe, Chace, Parkes, etc. duringe the life of himfelf and fon.

Likewise the Stewardfhip, Bailiwick, and Keeping of Hanslop Parke.

5. My Lord Treasurer Burghley from time to time caft upon him many advantageous imployments in the Customhowfe, as difchargenge of forfeitures, benefite of praifement.

Endorfed :—"Sir John Fortescue's meanes of
gaine, by Sir Richard Thekftin Kn^t.
told me 26 Nov^r 1608."

With reference to this laft name, I find the following in the Frere MS. Philip Gawdy, writing to his brother on the 3rd or 4th of May, 1603, fays: "The King hath made very many knights, tho' of late he hath held his hand, for he repents him of very many he hathe made, and is very angry with fome Skots, for he hath heard that they took money for making of them. Councillor Swyfte and his fon, M^r. Gargrave, M^r. Thexton Sir John Fofkew's man, M^r. Turrett, and many others are knighted of much leffe worthe."²

Tickford Park was attached to Tickford Priory at Newport-Pagnell, fuppreffed by Henry VIII. Lipfcomb's account, here fubjoined, does not entirely agree with the foregoing :—

"Tickford Priory and Manor were granted in fee by Patent 11 November 1592, to Thomas Compton, Robert Wright, and Gelley Merrick, Efq., at the instance of that unhappy favourite Robert Earl of Effex; and by his attainder reverting to the Crown, it was fold to Sir John Fortescue, Knight, Chancellor of the Exchequer."³

¹ Brit. Mus. Add. MS. f. 143, 12,497.

² Historical MS. Commiffion, Seventh Report, p. 528.

³ Lipfcomb's Bucks, vol. iv. p. 293.

In 1621 Lady Alice, widow of Sir John Fortescue, sold Tickford Park for 4500*l.* to Henry Adkins, a favourite physician to Elizabeth and King James.

Sir John had issue by both his wives; by the first, five sons and two daughters. Of the sons, two, John and Robert, died young; Sir Francis was heir to his father, and will be mentioned further on. Sir William, the second son who attained to full age, was admitted to the Inner Temple on the 12th of June, 1581.¹ He sat in the Parliament of the 39th of Elizabeth, 1597, as member for the borough of Chipping Wycombe. From 1600 to 1603 he served in the army in Ireland under the Lord Deputy Sir John Norris, during Tyrone's rebellion,² and especially against the Spaniards in the siege of Kinsale. He received the honour of knighthood, November 17th, 1600.³ His father had obtained from the Crown the stewardship and keeping of Hanslope Park, with reversion to his son; and there is an Order in Council of April 26th, 1609, authorizing Sir William Fortescue to cut timber there for repairs.⁴

He died in the year 1629,⁵ and was buried at Mursley on the 4th of June.

Thomas, the third son of Sir John who attained to age, was, like his brother, entered at the Inner Temple (25th of October, 1586).⁶ He served in the Parliament of the 35th Elizabeth, 1593, for Wycombe; and died before his father.⁷

Sir John's daughters by his first marriage were Elizabeth, who died young, and Eleanor, married, first, at Mursley, in the year 1585, to Valentine Pigott, Esquire, probably a member of the family of Shenley, in Bucks; secondly, to Edward Hubbard, or Hobart, Esquire, whom she survived. This lady was buried in the chancel of St. Sepulchre's Church, in London, in 1605, with this inscription on her tomb:—

"Eleanora præhonorabilis Viri Johannis Fortescue, Equitis aurati, Ducatus Lancastriæ Cancellarii, a sanctioribus regiæ Majestatis consiliis filia; Edwardi Hubbard Armig. defuncti aliquando conjux perquam dilecta; sub hoc marmore jacet sepulta. Vixit annos 36, pie, juste, sobrie, quoad Deum, mundum, seipsam, gestus, in fide, pace, spe, Christi, conscientiæ, gloriæ, obiit 10 die Mensis Julii, 1605."

By his second wife he had only one daughter, Margery,⁸ who lived to womanhood. She was born in 1580; married, as has been already mentioned, in 1602 to Sir John Poulteney, or Pulteney, of Misterton, in Leicestershire, by whom she had one son and four daughters.

This lady died in 1613, and was buried in the North Cross of Westminster Abbey, with the following epitaph:—

¹ Records of Inner Temple.

³ Chamberlain's Letters, temp. Eliz.

⁵ Mursley Register (June 4, 1629).

⁷ Epitaph on Sir John's tomb.

² Fynes Morison's History of Ireland, 8vo. edition, pp. 20, 246, 348.

⁴ Cal. State Papers, Domestic, 1603-10.

⁶ Records of Inner Temple.

⁸ Funeral certificate.

“Reconditur hic Margeria Johannis Fortescu Equitis aurati, reginæ Elizabethæ, et Jacopi regis Consiliarii Cancellarii, filia; uxor charissima Johannis Pulteney Equitis aurati cui xxxiii ætatis suæ anno moriens filium unum filias quatuor pie commendavit et animam Deo obiit ix^o die Martii anno Salutis 1613.”¹

Several letters² by Sir John Fortescue, besides those already printed in this memoir of his life, have been preserved. They are all more or less of an official character, and do not throw much light upon his private life; some of them, however, are not without social, as well as historical interest, and in the absence of other contemporary sources of information to assist his biographer, I have determined to append them here. Nearly all the letters belong to the great collection of manuscripts at Hatfield House, and I am indebted to the courtesy of the Marquis of Salisbury for copies of everything which it is known to contain connected with the present subject.

*The Right Honourable Sir John Fortescue to the Earl of Shrewsbury.*³

My verie good L. wth my bouden dutie, Wher I undurstand my Kinsman M^r. Edrd. Stafford who married the wife of Anthony Babington late of Dedick in the Com: of Dert^h of highe treason attainted is by y^r L. (in respect of such Landes as he there holdeth in the right of his wife) charged with the findinge of horse and armor to be in readines when the same shold be called for, whereof althoughe he hath labored to be dyscharged yet he cannot wthout certificate that he is ellswere for her Ma^{ty}. service charged, I am therefore to entreat y^r Ld. god favor in his behalfe and further to signifie unto y^e that he hath beene a Captaine of conduct both by sea and lande and still remayneth pressed under his M^r. Sir Walter Raleigh in the Wardenshipp of the Stannaries in the Com: of Devon; in regard whereof I desire y^r honorable favo^r in his discharge, and I shall be readier to do y^r L. all service maie lie in my power and so I cease further troubling yo^u, praying god to send y^r L. health wth increase of honor. At the Co^{rt} at Richmond the first of November 1589.

Your L. most bounden,

J. FORTESCUE.

To the right Honorable my verie good
Lord the erle of Shrewsburie one of his
Highnes most honorable pryvie Coun-
sell.

¹ Le Neve, Mon. Anglic., vol. i. p. 42.

² All the letters to or from Sir John Fortescue which follow, when no other reference is given, are from the collection of Cecil Papers at Hatfield House.

³ From the original in the Talbot Papers in the College of Arms.

Sir John Fortescue to the Keeper of Kenninghall Park.

After my hartie comendacōns. These are to prairie yo to bestowe on my lovinge brother in Lawe S^r. Thomas Knyvett Knyght,¹ or on the bringer [of thi]s in his name one Buck of this seasion to be taken o' guifte wth in Kenninghall parke wherof yo^u are keper. A[nd I shall] thinck my self beholden to yo^u for the same. S. Written the xvijth of Julie 1590.

Yo^r Loving frend,

J. FORTESCUE.

Sir John Fortescue to Sir Henry Unton.²

The death of our good [Lorde] Chancelloure I know cannot but be most greivous [unto you]. His broken estate and great debts accumulats our

Since [my last letters] some speaches have ben of youe and your service, it was [well if you] did remembre to write to hir Majestie as oft as matter fit for hir knowledge occureth, for hir Majestie expecteth so moche, [seeing your] great chardge in service it were not amisse your me[ssenger should come] affone as youe may leaft your chardges be not regarded [so well] as your friends could wish. This by way of counsell I make bold to admonish you of; for in this time of skarfeneffe [and of] untollerable expenses rewardes will grow colde. If [it seemeth to you] I may stand youe in steade, I wilbe ready to performe [to my power with] good will. And so with my commendacions I comytt you [to God's holy keepinge].

At the Court at White hall this first of Decembre.

Your assured lovinge Freind and Cofen,

J. FORTESCUE.

Addressed :—"To my honorable good frende and Cofen Sir Henry Unton Knight Lord Ambafadour for hir Majestie resident in Fraunce."

Endorsed :—"December 1591. From Mr. Fortescue."

¹ Sir Thomas Knyvett was married to the daughter of Sir Adrian Fortescue's second wife, Sir John's mother, by her second husband, Sir Thomas Parry. Knyvett, as a Justice of the Peace for Middlesex, searched for and discovered Guy Fawkes in the cellars of the House of Lords. He was created, July 4, 1607, Lord Knyvett of Eskrick, Yorkshire. The original letter is in the British Museum, Harl. MS. 4712, fo. 311.

² Brit. Mus. Cotton MS. Caligula, E. viii. fo. 179. This letter is much injured by fire. The death, Nov. 21, 1591, of Chancellor Sir C. Hatton, who had fallen into disgrace with Elizabeth, and was overwhelmed by debt, is the event here referred to. Sir John and Unton were both cousins to the Oxfordshire family of Fettyplace, and so connected, but their cousinship to each other has not been explained. The Untons were an influential family in the same county.

Sir John Fortescue to Lord Treasurer Burghley.

Right honorable wth my bounden duety, vppon the recept of your L^{tes} of the 18 of this moneth I p^{ntly} sent to S^r. Thomas Shurley and acquaynted him wth the defects in the bands, and no allowance to hir Ma^{tie}. made, where vnto he answereeth that in the cautionary and garryfons their ar no checks, the numb^{re} being full, in the army auxilyary abroad in f^vice the checks cannot be certified otherwise then half yerely, and owt of the checks their ar di^vse paym^{ts} and enterteynements allowed befids warrants of your L. and the lls. of the co^ucell, as vppon the accounts it shall appire vnto your L. what is in his hands, w^{ch} he will p^{ntly} pay if any arrearage be founde in his hande; he farther desired me to signyfye vnto your L. that onles correspondence in the contract be held wth the marchaunts it will tourne to their discreditt and vndoing and he then shall have no means to tourne ov^r the money by exchang^r but must be dryven to transport money: Herevppon I prayed him to make a reconyng, for I was assured that he must not be payd in bryttany and the low contreys, both w^{ch} he p^{ntly} did and the some now to be payd amounteth to vij^m. viij^c ti or thereabowts, the ordre is by M^r. Petre drawen to be assigned at yo^l L. pleaf^r.

Towchinge S^r. Ja. Mervyn I receyved enformac^on from the S^vvayours, his receyt at midfomer to amounte to a m^l ti your L. and my self wrote vnto him to make paym^t at Bartholomewtid but neither money nor answer is retourned.

As to the spailles in the west I am very sorry to vnderstand of them and am most glad it hath pleased hir ma^{tie}. to fend S^r. Robert Cecill whose p^{nte} will gyve counteⁿce to the matter, and I do not doubt but wth S^r. Walter Rawleigh and the rest appoynted by the adventurers, all things shalbe well p^rformed, for of my self I never named any, but left the choyse to them selves who were interessed nor did I ever think Inglebert mete to be a comissioner but vnderstanding he was moch by M^r. Secretary Walsyngh^m vsed in the last prize, named him as our^l to be by the comission's vsed if your L. allowed it and no othirwise.

As towching the p^{nt} f^vice I have sent Bland the surveyour w^h l^{tes} to the officers of the ports of Kent, Suffolke and norf to joyne w^h him for the serching^r of all vessells and seazing^r all goods can be any way found to be of this prize and especyally the daynty whose master and maryners have behaved them selves very lewdly in making porte sale in ev^y place where they touched, especially at harw^{ch} what is done I have yet no knowledge but that this morn- yng I here from S^r. Jo: Hawkings she is in the ryver between Gravesend and London, S^r. Jo. Hawkyns doth follow your L. advise and the serch is appoynted to S^r. George Barnes.

M^r. Billingsley and M^r. Yonge and the rest of the comys^sion's: by whome by the opynyon of S^r. John Hawkyns it is thought meat to comytt the m^r. and captayne if thay cannot yeld good accounte of their doings.

¹ Sic in MS. Quære, agent?

Towchinge Capteyne Crosse M^r. Wade and the other comysfion's haue taken his Examy-nacōn w^h shalbe sent your L. he promyseth to deliv^r. all truely, and seameth to lay great falt on othirs, and that he will not medle to stirre any thinge in the bark his brother is in, but that all by iust accounte shalbe deliv^d and he will stand to hir ma^{ty}. confideracōn. I haue comāunded him to be fourth comyng vppon foure dayes warninge at his lodging gyven, to answ^r any thing that shalbe objected and althowgh the adventurers were ernest for his comyttement I haue stayd vntill yo^r L. pleasure therein knowen: We haue spared to send youe the particler of things founde in his house that we myght send your L. all together w^h both in the bark and land carriage is expected howerly.

I haue gyven knowledge to Sothirton that onles he cleare his arrearage and put in fuertyes to the some of mⁱ mⁱ v^c li. before mychelmas day ordre shalbe gyven he shalbe sequestred from his office and haue caused warning to be gyven to the Baylif and firmo^{rs} that they pay no money but at the audytt in the p^{ri}nce of the audytoure and soch as yo^r L. shall thirevnto appoynt.

Towching the rate of the Bays I sent your L. the opynyōn of the officers of the custume house that all bays of lx thredds for so the terme them, and vndre, ar to be accounted single bays, and so to pay custume, all above doble; the marchaunts and Bay makers do greatly greve hereat but desire that all vndre lxviij thredds may be reputed single, and after moch debate of thē matter it is referred to your L. ordre to abate of the marchaunts request or allow at your pleasure. I sent your Lordshipp the patrons of ech kind that the small difference appearing youe might do yo^r pleasure in as . . asyng for single lx thredds or above vnder lxviij what foev^r youe thowght best—all above that rate to be accounted doble and so to pay: the cockfall bays being of a nother kinde and fynnes to pay foure shillings the pece one w^t an othir.

Towchinge the adjornem^t. of the receyt to Syon to be kept their the chardge to make places glasyng and othir reparaco^{ns} will cost hir Ma^{ty}. ccc^{li}. at the least and Westm^r. being^r cleare and the place ready wilbe more comōdyous and no daunger, the greatest paym^{ts}. expected before men^{se} michisⁱ ar owt of London both for custume and subsidy and xv^{ms}. I haue ben both at Syon and Westm^r. but hir mats. pleasure must be donne. I stay the chardge of repayre at Sion vntill I here from yo^r L. agayn.

Yesterday as I was finishing this l^{re}s I recyved twoe l^{rs} from yo^r L. of the xx of the p^{nt} moneth, the first towching the gre^f yo^u conceyve of the smalle remayne in the receyte where-vppon I p^{nt}ly repayred to Westm^r. and calling for M^r. Billinsley and M^r. Yonge haue comāunded p^{nt} paym^t. of that remayne is in their hands, w^h I will w^h all diligence and care call vppon vntil it be p^rformed and have sent to Smyth to vnderstand thireof, he was not in the towne but wilbe this night. I trust hir next weke yo^r L. shall fynd fomwhat p^rformed.

I haue sent a p^rsuyunt to my L. of London and signyfyed vnto him the great dislyke hir ma^{ty}. conceyveth of this slack auferringe the tenthes and that the feasing of temporaly-

tyes awarded agaynst him is not so evill as hir ma^{ties}. displeasure and the flaunder w^{ch} redundeth of their not paying in tyme of necessitye of the pcesse no retourne can be vntill octēs michis.

Your L. other lres towch a libellour I never saw and can no other wise conceyve then your declaracoñ maketh mencion. I sent to the audytours of the prefts and ferched in the receyte, but I neither could lerne, no find any thing: the officer of the pipe who keapeth the records of the courts of Svey and Augmentacoñs is absent: Herevppon I reforted to feke the cronycles and find that in the end of the ny nth yere of King Henry the viij. The Erle of Worcestre being L. Chambllyn The bishopp of Elye the l. of S^t. Johns S^t. Nicolas Vaux S^t. John Pechy and S^t. Thomas Bulleyne were sent into fraunce Ambassadoures to treat the marriage of frauncs the dolphyn, eldest sonne of King frauncs the first and Quene Mary hir Ma^{ties}. sifter w^{ch} they did and vppon remoure that the dolphyn was dedde The B. of Ely S^t. Thomas Bolleyn and S^t. Richard Weston went to Conyack to see the dolphyn w^{ch} they did and the Erle of Worcester returned to Tourney to make redeliv'y thereof to the french men and this was Anno Dñi 1520. And the King was married to hir ma^{ties}. mother the 14 of November 1532, so that the shameles lying of this libellour is most apparant for hir ma^{ties}. birth was in Anno Dñi 1533 and then hir mother shuld have ben but xiiij yere old at her byrthe what may be farther found owt in this matter yo^r L. shall have knowledge w^{ch} all spede, my L. of Buckhurst I have hirewth acquaynted who will feke all he may any ways finde therein. And thus craving pardon of yo^r L. for my tedious lres I comende yo^r to the lorde' tuicoñ who contynue yo^r helth wth encrease of moch honour at Hendon the xxiiij of Septembre, 1592.

Your L. most humble and bounden,

J. FORTESCUE.

Endorsed:—"24 Sept. 1592 M^r. Chauncelor of y^e Excheq^r to my L. A. Libeller (Sanders if I mistake not) ag. K. Henry, reflecting upon y^e Queen & her mother, confuted." ¹

Lord Burghley to Sir John Fortescue.

Sir. I have acquainted hir ma^{ties}. wth the writings, w^{ch} you received from M^r. Archibald Dowglafs; ² and wth the accident w^{ch} hath bene the staye of yo^r cominge hither. For his writings I do retorne them unto you, wth some notes in the margent of myne owne hande,

¹ The original is in the British Museum, Lansdowne MS. 72, fo. 193.

² For mention of Archibald Douglas, see p. 337 of this volume.

as I conceived hir ma^{tie}. meaning to be. And thoughe this his course was to be allowed when he putt the same in wryting yett I doubt that the chaunges in Scotland lately happinge may alter this his course, before he can dyrect the same to be executed. And yett hir good will herein is to be allowed. And so I pray you in sending to him his writings, lett him knowe this to be my opynion. And so, wishing you to have no other accident to staye you from y^e Cowrte.

At Otlands¹ y^e last of Feby. 1593.

Your assured loving frend,

W. BURGHLEY.

To the right honorable my verie lovinge
frend S^r John Fortescue knighte one of
hir ma^{tie}. honorable privey counsell.

Sir John Fortescue to Arch^d. Douglas.

According to your L. desire signified by Thexstons² my servaunte I acquainted hir ma^{tie}. w^t your lres and articles w^{ch} hir highnes tooke in very good part and red before hir audience on Monday delivered to S^r. Robert Melvyn: this day conferred w^t me at lardge towching the contents of the same and is very desirouse youe shuld send unto hir that w^{ch} youe receyved under their own subscription viz. the copy written by my Lords owne hand w^{ch} is mencioned to be enclosed in your lre. the principall whereof subscribed w^t their own handes if youe desire is promised to be sent unto youe w^t power to add and deminish as hir ma^{tie}. shall best like: in this matter hir ma^{tie}. taketh good impressiō of your good intention and good service whereof she will not be unmyndfull and uppon the receipt of that copy youe shall have hir present direction of farther proceeding: In the mean tyme I was not unmyndfull of your estate and sute and for the present cold obteyne no farther but that hir ma^{tie}. willed me to send youe from hir on hundred poundes for your present relief w^{ch} my servaunt Thexston shall cause to be paid unto youe. And so praing youe to send the said copy to hir ma^{tie}. by Thexston w^t soch farther instruction and advise as youe think most mete hir ma^{tie}. to be informed of I comend youe to the Lords tuicon. At Otelandes this 10 of July 1593.

Your L. assured loving frend,

J. FORTESCUE.

To my very loving frend M^r. Archinbald
Duglafs geve thefe.

¹ Oatlands, near Weybridge, in Surrey, a royal seat where Elizabeth occasionally resided. It no longer exists.

² This was probably Sir Richard Thexton, mentioned already in this chapter as giving information upon Sir J. Fortescue's "meanes of gain." He had not been knighted at the date of this letter.

Sir John Fortescue to Archibald Douglas.

After my most hartie commendacons uppon the recepte of yo' instrucons I prepared to have repaired to the Courte to hir ma^{tie}. but beinge advertised infeccion of this plague to have touched some of yo' servaunts and some of them dead therof in yo' howse accordinge to my dutie I refrayned goinge to the Courte and sent the said instrucons to my Lo: Treasorer from whom I hitherto have receyved no answere but assone as I have any I will acquainte you therwthall: And so prainge yow to have care of yo' healthe and regarde to hir ma^{tie}. and yo' poore frends rather to send yo' mynde in writtinge then to endaunger theire healthes in this infectiouse tyme I comytt yow to God. At Hendon the first of August 1593.

Your assured loving frend,

J. FORTESCUE.

To the right honorable and my verie
lovinge frend Archingebold Dewglas Im-
bassador of Scotland.

Sir John Fortescue to Archibald Douglas.

S^r. Wth my most harty commendacons. this morning I have receyved the enclosed from my L. Treasorer wherein youe may perceave hir ma^{ty}. pleasure and his Lordships opynion. the Alteracon in Scotland ar reported to be very great youe are wise and experienced in that countrey and therefore I leave things to your confideracon. At Hendon this second of August 1593.

Your assured loving frende,

J. FORTESCUE.

To my very loving frende M^r. Archi-
bald Duglasse geve these in Lyme Streat.

Sir John Fortescue to Arch^d. Douglas.

After my very harty commendacons. I have receyved your lres left at Hendon at my being in court where I have not ben unmindfull of yo' L. but delt for your relief and procured hir ma^{ty}. warraunt of twoe hundred pounds for your relief one whereof youe have receyved the other youe shall have ordre for when youe will. I do retourne to Wyndfour on Saterdag next in the mean tyme if any farther matter come to your knowledge w^{ch} youe will have hir ma^{ty}. enformed of I pray youe let me here from youe or if youe will come over to Hendon I shall be ready to speke w^t youe: for satisfacion of the infection of your

house their neadeth no more I do allow your owne creditt therein : And so I comend youe to the Lord. At Hendon this 29 of August 1593.

Your L. assured loving frend,

J. FORTESCUE.

To my very loving frend M^r. Archinbald
Duglasse.

Sir John Fortescue to Arch. Douglas.

S^r. W^t my most hartly commendacons. Youe shall herein enclosed receave hir ma^{ties}. anfweres and princely resolucons uppon those l^{res} I receyved from youe uppon w^{ch} I nead not enter into any particularytye for that her ma^{tie}. hath fully declared her mynde unto w^{ch} it were good the LL. did conforme themselves for other wise it may confirme the opinion of unfownd dealing in them. I nead not use longer discourfe, youe know *pauca sapienti*. At Hendon this 3 of October, 1593.

Your very loving frend,

J. FORTESCUE.

To the right worshippⁿ my verie Loving
frend M^r. Archibald Dowglas Esq^r.

Sir John Fortescue to Archibald Douglas.

S^r. her ma^{tie}. havynge had some small indisposition caused by cold w^{ch} now thanked be god is perfectly amended : being acquaynted w^t your l^{res} finding some contraryety in the advertisements receyved from Scotland, hath willed me to pray youe I may see those l^{res} and significacons youe have from those parts whereuppon your opinion is grownded for she understandeth the kinge to have no resolucon answerable to any agreem^t w^t the Erles¹ and that Angus is retyred into the South parts of that contrey. Arrold by his hurtes and overthrow brought into hard termes and therefore is more desirouse to understand the grownde of your knowledge and opinion—w^{ch} I pray youe I may have w^t your convenyent spede : I fend youe back the l^{re} to my L. Chamberlayn w^{ch} youe must fend to Somersfet house in Strand to be delivered unto him. And so I comend youe to God At Richmount² this second of Novembre 1594.

Your loving frende,

J. FORTESCUE.

To my very loving frend M^r. Arching-
bald Duglasse geve these.

¹ The three Earls, viz. Angus, Huntly, and Erroll, are here referred to.

² There was a royal palace at Richmond, in Surrey, from the time of Edward I. to Charles II., when it was pulled down.

Sir John Fortescue to Archibald Douglas.

S^r. I pray you to come to the court to morrow morning so that I may speke w^t youe by 8 of the clock ; at your comyng youe shall perticularly understand hir ma^{tie}. pleasur for my L. Treforer and my self ar to conferre w^t youe and this praying youe not to fayle I comytt youe to the Lords tuicon this Monday 16 of June 1595.

Your assured loving frende,

J. FORTESCUE.

To my very loving frende M^r. Archibald
Duglasse.

Sir John Fortescue to Sir Robert Cecil.

S^r. W^t my most harty comendacons : I have sent the answere made to M^r. Duglas as I receyved the same from youe, and do fynd hir ma^{tie}. to have conceyved justly of the course by them intended and therfore to have made an honorable grave and wise answere : declaring hir self a prince of value and resolucon who cannot endure any course *indignum regia majestate*. I wold to god the many wise councells that of hir highnes great favour she hath bestowed on that king might have taken better route in his mind : but what shall I say ? I fere he will matrizare : ¹ for this dobleling point of tolleracion in religion is but a clook to shrowd all practizes and combinacons : Towching hir ma^{tie}. great care and favourable declaracon of hir princely goodnes to-wardes so unworthy and poore a servaunt as I know my self to be I must entreat youe w^t all humylyty to yeld my most dutifull thanks and acknowledgmet of myn unhabylyty to deserve ony part of so great favoure, and to assure hir ma^{tie}. that neither my life nor ony worldly matter whatsoever is or can be to me so deare as the good conceyt of her highnes unto whose service I have and always will devote my life and travailes. I pray you herwithall to remembre my duety in most humble manner unto hir Royall perfon, the lack of enjoying of whose princely sight and comfortable prefence hath ben to me more grevousse then my infirmytye w^{ch} now I thanke God is uppon recovery, and I hope will give me leave the next weke to attend hir ma^{tie}. at the Court : In the mean space I acknowledg my self greatly indebted to youe for your favour and great kindnes assuring youe that besides that I will always rest to youe a thankfull and faithfull frend in all may ly in my power youe shalbe most assured that the gratfull remembrance of this kindnes shall rest ingraved in my hart binding me to do youe and yours all frendship and service may lye in my power. And so praying youe to remembre my duety to my L. your honorable father unto whom I pray God to send speddy amende-

¹ Sic in MS.

ment of helth w^t encrese of honour, I comytt youe to the Lordes tuicon At Hendon this third of Novembre 1593.

Your most assured loving frend,

J. FORTESCUE.

To the right honorable and my assured
lovinge frend S^r. Robert Cecill knight
one of her Mat^s. most honorable privie
Counsell.

Sir John Fortescue to Sir R. Cecil.

S^r. W^t my most hartly commendacons and thanks for your kindnes shewed unto me. I am right sorry that myn infirmity thus deteyneth me from doing my duety in attending hir ma^{tie}. and my L. your good father: whose sicknes doth as nere towch me as any, his children eccepected, for that I know him to be soch a Counsellour (*qualis ut arbitror nemo unq. erit ut affirmare possum apud nos nunq. fuit*): by these I am to desire youe to let hir ma^{tie}. understand that I do in all humblenes recognize her great and most princely goodnes in having care of so meen a servant whose habilyty faileth to performe the duty he oweth to so gracious a prince and mistres, but had rather sink as depressed *onere offitii q. quod cum fide imposi- tum est aut propter perfidiam abycere aut infirmitatem animi deponere*: this day M^r. Gode-rouse is w^t me and I hope will grow to the full cure of myn infirmity w^{ch} I trust wilbe so perfeited as by this day sevensight I may be hable to come to the Court and in the mean space praing youe to recomend my duety to my L. your father whom I will and am ready to serve in what it may please him to comaunde and do dayly pray y^e Lord to strenthen giving him helth and speady amendement w^t increafe of honour, I cease to trouble youe. At Hendon this 10 of Novembre 1593.

Your assured loving and faithfull frende,

J. FORTESCUE.

To the right honorable S^r. Robert Cecill
knight one of her ma^{ts}. pryvy counsell.

Sir John Fortescue to Sir Robert Cecil.

S^r. I have confided of the contents of your lres and have conferred w^t my L. treforer thereof by whose opinion I think most mete if hir ma^{tie}. shall thereunto agree that a licens for fyve hundred tonnes of Beare to be transported owt of this port of London be graunted to such person as youe write of for that it wilbe redye money at this tyme and may most easely be sene unto that no more shalbe transported then is by hir ma^{tie}. given. And so w^t

my most hartye comendacons I comytt youe to god. At the Wardrobe this 13 of February 1594.

Your assured loving frende,

J. FORTESCUE.

To my honorable good frend S^r. Robert
Cecill knight of hir ma^{ty}. pryve Coun-
cell.

Lord Buckhurst and Sir John Fortescue to Sir R. Cecil.

S^r. W^t our hartyeft comendacons uppon the receyt of your l^{ies} we were moch perplexed both for the generall discontentment of the people who moch expected this execution¹ as also for the scandall hereby likely to ensue in the hole course of the cause: the day appoynted was to morrow at 9 of the clock. it seemeth hir ma^{ty}. misconceyveh the course requisite herein, for the execution awarded at a day certeyn cannot otherwise be donne then is appoynted: nor can any execution be by the comissioners warraunt but during such tyme as the comission standeth in force. We have herein taken the opinion of the L. Chief Justice of England and M^r. Attourney who have this resolved. So that onles the execution procede to morrow or satterday the Comission (onles on monday it be contynued) is to desolve, and so w^{owt} hir ma^{ty}s. warraunt no execution is to be donn. if on monday farther continuance be made then the delivery of the gaoles being full of seminaries and other traytours of that kind w^t other great malefactours must rest in London unproceaded uppon. And therfore we pray youe in our most humble and dutifull maner to make hir ma^{ty}. herewth acquaynted and that we may understand hir princely resolucon w^{ch} must be had before 6 of the clock this after nown for onles we recall the warraunt the execution must of necessity be donne in the morning: nor uppon this warraunt can any stay be farther made w^{owt} the recalling of the same. And so praing youe to let us understand hir ma^{ty}s. good pleasur w^{ch} we shall in all duty fee performed we comytt youe to the Lord At Buckhurst house this 18 of Aprill 1594.

Your assured loving frends,

T. BUCKEHURST,

J. FORTESCUE.

In Fortescue's hand. Signed.

To the right honorable our very good
frend S^r. Robert Cecill knight of hir
ma^{ty}. most honorable pryve Councill.

¹ The execution here referred to may have been that of Rodrigo Lopez, condemned with two others for an intention to poison the Queen. See Camden's Elizabeth, in Kennett's Complete Hist. of England, vol. ii. p. 577.

Sir John Fortescue to Sir Robert Cecil.

S^r. w^t my most hartly comendacons hir ma^{tie}. at my departure comaunded me to deliver to my L. your father. the warraunt for money to be paid to S^r. Henry Bagnall for his interteynements in Ireland: blamyng the Treforor for his unconfideratnes in leaving him in fo great arrearages, it pleased her to name one thowfand pounds to be p^{ntly} paid w^{ch} I replied to be to litle to relieve his present necessity being spoyled of all he possesseth for hir ma^{ty}. service: hir highnes referred the matter to my Lordes confideracon. I most hartely pray youe to advance the bill in that youe may, for I assure youe the gentleman if her ma^{tie}. make not confideracon is utterly undone, whose estate is engaged uppon forfeytes if twoe thowfand poundes be not paid before the end of next terme: And this trusting of your honorable regard of the gentleman for w^{ch} I shall rest to youe very moch bound I comend youe to the Lords tuicon this 10th of Septembre 1595.

Your assured loving frend,

J. FORTESCUE.

To the right honorable my verie loving
frend S^r. Robert Cicell knyght one of
her Ma^{ty}s. preve Counsell.

Sir John Fortescue to Sir R. Cecil.

S^r. w^t my most hartly comendacons I have ranfacked all the papers I have and cannot fynd any foch l^{re} nor did I ever write any to my remembrance towching my Lady of Northumberlandes joynter nor had any sent me thereof. The sute for the lease grew uppon this ground. my Lady signifying her unwillnes to have any sute against hir ma^{tie}. and perceaving the devise to the colledge to be unmete to be justified made humble sute to have the lease regranted from hir highnes and so to be beholding to hir ma^{tie}. for the same: and at that tyme it was unknowen that hir Ladiship had any joy[n]tour at all: but for any l^{re} I never had any nor con fynd any l^{re} or supplicacon towching that cause. Althowgh I have made 3 houres ferch this day: yet will I farther this night peruse all the papers I have and to morrow bring what I can finde and so I humbly pray youe let hir ma^{tie}. understand. At the Warderobe this 3 of March 1596.

Your most assured poore frend,

J. FORTESCUE.

To the right honorable my very good
frende S^r. Robert Cecill knight principall
secretary and of hir ma^{ty}s. pryvy counsell.

Sir John Fortescue to Sir Robert Cecil.

S^r. w^t my most hartly comendacons we have conferred divers tymes w^t S^r. Thomas Shurley and have at last browght him to yeld to assure all his landes to my L. Keaper my L. treforer my L. of Buckhurst and myself to the use of satisfacon of hir ma^{ty} debt: w^{ch} being paid the remayne to himself and his heires. M^r. Attorney hath receyved his evidence and draweth the assurance w^t all spede possible: This afternounge we have examyned one of his accounts and have drawne the same to a determynacon: whereuppon we have gotten good cause of seysure of his landes and goods; all w^{ch} shalbe donne w^t all spede possible. to morrow my L. Keaper my L. of Buckhurst and my self will attend and relate our doings wherein nothing is omittid that can be donne: I send youe herew^t the instructions for the office of thordonance w^{ch} may be amended in anything youe shall fynd defectyve. And so I comend youe to the Lordes tuycon this 19 of March 1596.

Your assured loving frend,

J. FORTESCUE.

To my honorable and loving frend S^r.
Robert Cecyll knight her Ma^{ty}. principall
secretarie.

Sir John Fortescue to Sir Robert Cecil.

S^r. I fynd my self in such ill disposition of my body as I am unable this day to attend hir ma^{ty}. at the court; neyther ar the certificates from the offices of admyralty ordonance &c. yet retourned: if it might stand w^t hir ma^{ty}. pleasure to appoynt that Middleton might deliver one thousand marks for the soldiours parts of the plate and silver and gold wayed to be paid to S^r. Tho. Baskerville for the present dispach of the poorer company it were very good in myn opinion: for to deliver in specie wold collour all the abuses and purloynings and to that end it is desired the soner this some were paid the better hir ma^{ty}. profit wilbe: for I here perle and bullyon is abroad in good quantity and if any be delivered all wilbe collowred. I hartely pray youe make knownen to hir ma^{ty}. my state w^{ch} in this wether I dare hardly adventure by water: but to morrow god willing mean to wayt uppon youe. And so I pray youe pardon my shortnes and rudnes this 8 of June 1596.

Your assured loving frend,

J. FORTESCUE.

To my honorable good frend S^r. Robert
Cecyll knyght of her ma^{ty}. privye councell.

Sir John Fortescue to Sir Robert Cecil.

S^r. W^t my most hartyeft comendacons if youe saw the numbre being 200 poore miserable creatures hanging at my gate who neither have meat nor clothes it wold pyty youre hart : they say they were imprest in hir ma^{ts}. name and shew a warraunt under the handes of all the Lordes and served not for any shares : and that uppon that grownd all pillage was taken from them. they requyre wagis and seking by all means I can I find the numbre not to excede 400 heddes : besides capteyns : if hir ma^{tie}. were of them dischargd the adventure were at hir ma^{ts}. owne disposition : the some of wagis after 6^s 8^d a man the moneth amounteth only to £1600 : their 6 part I trust will fourmount this some and so hir ma^{tie}. in honour dischargd of the clamour of a companye of miserable poore creatures : but they must be paid by the pole and not by the capteynes : what is in plate and bullion some of them were eye witneses the rest have hard the quantitye and so for any gayn to be made thereof theer is no suspicon : I have sent for S^r. Tho. Baskerville and M^r. Carmarthen and will w^t all care see all hir ma^{ts}. will performed : whose honour so it may be preserved the rest importeth not : It grieveth me not a litle that for my La. of Southampton my L. your father shuld be blamed whose carefulnes for hir ma^{tie}. therein I can be a witnes of and trust her highnes ley grief uppon him for others falt : thus almost confused in these busines I comytt youe to god this 9 of June 1596.

Your assured loving frend,

J. FORTESCUE.

To the right honorable and my very loving frend S^r. Robert Cecill knight on of her ma^{ts}. pryvy counsell.

Sir John Fortescue to Sir Robert Cecil.

S^r. w^t my most harty comendacons I am dryven to be troublesome unto youe and no way hable to deserve : myn infirmyty since your departure yesternight making a recourse hath given occasion to my phisitions to be of opinion that I must endure the course of a diett and ordre to me perscribed and not to adventure the ayre these 14 days. You will not think how grevous it is for me to be hereby sequestred from hir ma^{ts}. presence and all habyltye of gratefulnes to my frendes : but this amongest other my mishapps I account one of the greatest, that my lief w^{ch} I holly advow to hir ma^{ts}. service is hereby made to me unplayfant : yet will I not omytt to performe what I may remayning in my chambre : I humbly desire hir ma^{tie}. may be herewth made acquaynted whose pleasur I will follow and rather then offend adventure my body to any dainger whatsoever. And this praying youe to remembre

my humble duety to her highnes in most dutyfull manour I comend youe to the Lordes
tuicon :

At the warderobe this 18 of June 1596.

Your assured loving frende,

J. FORTESCUE.

To the right honorable my very loving
frend Sir Robert Cecill knight and of hir
ma^{tie}. pryvy councell.

Endorfed (by Cecil):—18th June, 1596.

S^r. J. Fofcue to myself.

Sir John Fortescue to Sir Robert Cecil.

S^r. According to your desire I have sent youe 6 percells of the perle : and will redyly do
what hir ma^{tie}. shall direct in those causes : I sent youe by my cosyn Henry Brook the
patrons for the great diamant : when hir ma^{tie}. shalbe resolved therein I pray youe retourne
her pleasure : youe wold not think how Irkesome my diet groweth to me especially for that
it w^ddraweth me from my service hir ma^{tie}. prefence and from my duety to my frendes : but
I trust wⁱⁿ few days now to end. And thus praying youe to remembre my most humble
duety to hir most excellent ma^{tie}. whom the Lord long preserve I comytt youe to god. At
the Warderobe this 29th of June 1596.

Your assured loving frend allways redy to do service,

J. FORTESCUE.

To my honorable good frend S^r. Robert
Cecill knight of hir ma^{tie}. pryvy councell.

Sir John Fortescue to Sir Robert Cecil.

S^r. w^t my most harty comendacons if I had sooner understood of your retourne I wold have
miself congratulated your faef arrivall : w^{ch} I pray youe excuse me of now and I will at your
better leasur attend youe. At this tyme I send youe the seale of the Duchy and the key
herein enclosed : what hath passed in youer absence the Dockett by the clerk kept and by
me subscribed will declare. and so at this tyme I cease to farther trouble youe this first of
May 1598.

Your assured poore frende,

J. FORTESCUE.

To the right honor. S^r. Ro : Cecill knight
hir ma^{tie}. principall Secretary and of hir
privye Councell.

Sir John Fortescue to Sir Robert Cecil.

S^r. Hir ma^{ties}. great want is foch as for the present paym^{ts} w^{ch} youe ar acquaynted w^{all} : my Lord your father and myself ar so moch agreaved as we know not whether to tourne our selves : we have called in all custumers receyvours and collectours. the receyvour of the court of wardes : and now lastly must presse youe praying you to cause the receyvour generall of the duchy to pay into the receyt all the money that remaynes in his handes for all wilbe to litle to supply the p^{nt} necessity and therefore I am the more earnest w^t youe in this behalf : I will not fayle to wayt uppon hir ma^{tie}. to morow at the tyme appoynted : And so praying youe to help us w^t all the money youe cann possibly I comytt youe to the Lordes tuicon this 28 of June 1598.

Your assured loving frend,

J. FORTESCUE.

To the right honorable S^r. Robert Cecil
knight principall Secretarie and Chancellor of the Duchie of Lancaster.¹

Sir John Fortescue to Sir Robert Cecil.

Good M^r. Secretary I was to have gone to the² to mete w^t youe and my l. of Buckhurst to have had ordre for the dispach of the Irish causes but understanding youe ar to mete at my L. keepers this afternown and not knowing whether your meating be any privat comission or a generall assembly of the Councell I pray you let me know from³ whether I shall mete youe their or at your house at some tyme for dispach of the Irish busines : the sutors ar importune and I have not the warraunt for the £8000 nor w^{oute} warraunte can give any direction : There remayn among the writings of your late honorable father a lease for the licence of alienacons a comission for graunting leases and diverse comissions for taking of accounts w^{ch} of necessity must be renewed. M^r. Maynard can tell best where they ar bestowed : it may please you to give ordre for delivery of them unto me that I may make ready for the proceeding therein : And thus I leave to trouble youe. At the Wardrobe this 8 of August 1598.

Your assured loving frend,

J. FORTESCUE.

To my honorable good frend S^r. Robert Cecil her Ma^{ties}. principall Secretary and of her highnes pryvy councell.

¹ Sir Robert Cecil was appointed Chancellor of the Duchy of Lancaster in the 29th of Elizabeth, 1596-97. He resigned the office in June, 1599. Napier's Swyncombe and Ewelme, p. 404.

² A word is here left out ; query, "Court" or "Council" ?

³ A word left out.

Sir John Fortescue to Sir R. Cecil.

S^r. I most hartely thanke youe for your most gentle offre of your house at Chelsey, being a thing w^{ch} for many respects if myn habyltye were to compefs I wold most gladly deale w^{all} : but as my case standeth who (otherwise then by sale of Hendon) am not to purchase, and the same not to be donne uppon a suddeyn w^{out} great losse I cannot so presently provide money as youe desire and therefore most hartely thanking youe must leave to thinke thereof and wish youe either in selling or keaping the same all felicitye as youe can best wish the same. And so w^t my most harty comendacons I comytt youe to the Lordes tuicon. At the Wardrobe this 11 of Octobre 1598.

Your most assured poore frend always
ready in what I may do youe service,

J. FORTESCUE.

To my honorable good frend S^r. Robert
Cecill knight hir Ma^{ty}. principall Secre-
tarie and of hir highnes prive counsell.

Sir John Fortescue to Sir Robert Cecil.

Good M^r. Secretary let me make bold to trouble youe in a request to be made to hir ma^{ty}. in the behalf of my nephew Withepole¹ of whose descent I will not trouble youe farther then that he is my nephew descended from my sifter the late Lady Wentworth. that it myght please hir ma^{ty}. at my sute the rather to grace him w^t knighthood : my self and the young gentleman do chuse rather to be beholding unto youe then any other, this favor I will reckonne amongst my other my self your debtour for : and so recommending the same to your best oportunity to be accomplished at Wimbleton my L. Burleighs house if you think so good or otherwise I comytt youe to the Lords tuicon. At the Wardrobe this 2 of July 1599.

Your assured loving frend,

J. FORTESCUE.

To the right Honorable S^r. Rob^t. Cecill
knight principall Secretary and of hir
ma^{ty}. privye Councill.

¹ Dorothy Wentworth, sixth daughter of the first Lord Wentworth, of Nettlested, by Anne Fortescue, married Paul Withypool, Esquire. Collins's Peerage, vol. vi. p. 204.

Sir John Fortescue to Sir Robert Cecil.

Good M^r. Secretary w^t my most hartly comendacons : I am not a litle greaved w^t this slanderouse report fathered uppon some that I shuld send to warne my fervaunts and tenants for their repaire to the court w^t horse in this late suspicon of invasion ; and especially that it shuld be this farre proceeded in before I were spoken unto : the matter it self carrying so litle probabylytye. but for your better satisfacon I will hereby fet youe down all that hath w^t my knowledg proceeded. Uppon the Rumour of the invasion and agream^t. of my Ls. that every man to his uttermost habyllytye shuld furnish horse for hir ma^{ty}. service : I sent Woodforde my man down into my countrey to my sonne w^t a lre requyryng him to send to my fervaunts and tenants to repayre to London w^t horse the 20 of August whereuppon warning was given to them accordingly, in the mean space the alarme came whereupon 40 of my fervaunts repaired up : but the occasion falling out otherwise I dischargd them home untill the fift of Septembre next and this was all that ever I did or herd in the matter : Woodford my man whom only I sent and no other is gone w^t my sonne William Fortescue to the sea : and I presume he wold not make any soch slanderouse report havynge seen hir ma^{ty}. walke in the garden and hunt in the park the day before his departure. but under correction M^r. Wake who seemeth to me to be authour for that he layeth it in generalty that some that came from me shuld give owt soch speech wold be sent for to make particuler expression of the parties name whom he accuseth and so the matter might be tryed owt and severely punished in the authour and spreddour of the rumor. I have sent for my sonne to answere any thing that may be to him objected who if he cannot clere him self I will utterly reject him : the gentleman you write and to me no one of any famyliarty but rather known by sight or utterly unknowen might have farther examyned some certeynty then so losely to have advertised a slander against one of my place w^tout grownde and rather caused M^r. Wake to have come up to verifie his accusations then so slightly advertised I trust an untrueth : for I can not conjecture of any men of myn uppon whom I might by supposell suspect any such undutyfull mynd as to report a matter w^{ch} tendeth to the overthrow of all this Realme both perticuler and generall : But perceave the world is growen to that that *si accusasse satis erit nemo erit imunis* : I will refrayn comyng to the Court and Councell untill I here farther from youe : I will send for Woodford from the Sea as sone as I can possibely : for I sent him only and no other into the countrey : And thus resting uppon myn innocency w^{ch} will defende me undoubtedly for no other help will I desire I comytt youe to the Lords protection this 20th of August 1599 at the Wardrobe.

Your assured loving frend,
J. FORTESCUE.

To the Right Honorable S^r. Robert
Cecill knight her ma^{ty}. principall Secre-
tary and of her highnes pryvy Councell
at the Court.

Sir John Fortescue to Sir Robert Cecil.

Good M^r. Secretary youe accumulat unto me the bands of frendship. I stand tyed unto youe by your kind remembrance in your lres and althowgh youe write that youe envy my quyet yet I assure youe these contry visitacons and compliments w^{ch} of necessity ar to be donne leventh small tyme of repose unto me for my pryvat: I am now uppon my retourne and mean to be at London on Monday next and so to attend hir ma^{tie}. as it shall please her to commande: I most hartely thanke youe for your advertisements w^{ch} althowgh they be not always foch as I wold they were yet amongest the rest I am glad of the adition to my L. of Effexs liberty whereby I perceave hir ma^{ty}. care of hir poore servaunts and that we shall not be given over for our fidelytyes: All these partes ar most quyet and stand holly at hir ma^{ty}. devocon. nor do I find any that doth not allow the hole proceedings in my L. of Effexs cause althowgh I have fought to fele men of the better sort the best I could: I have ben weryed wth hunting and hawking and yet good maners forced me *eorum obsequi studiis cum quibus versor*: In my pryvat I fynd it to true that the maister eye advaunceth every worke. but youe have and dayly more shall finde that men in our condicon and yours especially ar borne to serve their prince and contrey and many tymes to omytt them selves and their pryvat: And thus comitting you to the Lordes tuicon who give youe your harts desire as youe can best with them I spare farther to trouble youe. At Yarrington¹ this 28 of August 1600.

Your most assured loving frend always ready to do service,

J. FORTESCUE.

To the right honorable my very good
frend S^r. Robert Cecill hir ma^{ty}. princi-
pall Secretary and of hir pryvy Councell.

Sir John Fortescue to Lord Buckhurst.

An extract for answer of my L. Admirall² and M^r. Secretaryes lres towching the prize:

It doth to us in duety apperteyn to have a speciall care of hir ma^{ty} right and custumes and all proffitts of the crown whereunto we ar by office and oth bound and therefore no caufe to mervell at our motion:

Towching the informacon whether it be true or false the informer is to answere therunto: and of the value thereof we made youe acquaynted as it was to us related: your answeare doth give fatisfaction and the entry in the custume house will make the profe:

¹ Yarrington, or Yarnton, is four miles from Oxford, on the Woodstock road. The Spencer family had a feat there, which is now a farm-house. Sir William Spencer, third son of Sir John Spencer of Althorp, was styled of Yarnton; he died in 1609. See Collins's Peerage, vol. i. p. 388.

² The Lord High Admiral of England at this time was Lord Howard of Effingham, Earl of Nottingham.

We never ment straight or fevere courſe in this cauſe for if we had we wold have proceeded in that courſe. but by ſending unto youe to underſtand your mindes and ſo both dutyfully to her ma. and reſpectively to you to dele in the cauſe by your affents and good liking :

Towching M^r. Candifh¹ who in troth was great nephew to me S^r. Jo: Fofcue I was never acquaynted w^t his cauſe nor w^t the courſe w^t him holden : only I am ſorry he delt w^t ſea cauſes for he thereby overthrew his houſe and hole fortune :

Towching ſequeſtracon if a true entry be made and your honours taking the matter uppon youe that may be very well forboren : Nevertheles we muſt confidently ſay unto you that all great and Royall prizes by all lawes are due to the prince or ſtate : but mean prizes ar diviſible amongeſt the adventurers by generall tolleracon : and therfore in that caſe no ſequeſtracon neadeth.

But ſure it is to hardly drawen that we ſhuld mean any extreame dealing towards your Honours conſidering we rather deſired comunicacon upon the matter w^t youe and frendly proceeding w^t your good liking : for we never ſevered our courſes from you in any ſervice but know our fortunes and yours to hang uppon on ſtring viz hir ma^{ts}. proſperouſe eſtate w^{ch} we pray god long to contynew and perfectly know it to be the ſcope and comfort of your honorable intents and ours wth you.

Towching the requeſt of ſending down of Midleton or Carmarthen we think the cuſtumer M^r. Halfe being her ma^{ties}. ſervant and by her ſelf preferred to the place may take the entry and a inventory of all things w^t the officers of the cuſtume houſe and ſo no extraordinary proceeding be uſed nor ſpeech of the matter : this I have ſhortly collected that is in my L. and M^r. Secretaryes liſes w^{ch} I gather to be moſt materiall and referre my opinion to your lo. reſolucon and mean to concurre w^t youe in all the proceeding herein : this 12 of Aprill 1602.

Your L. in all duety moſt bounden,

J. FORTESCUE.

To the right Honorable my very good
lord my L. of Buckhurſt L. high Treaforer
of England.

Endorſed :—Sir John Fortefcu to my lo.
Threr an anſwere to the L. Adm^{tl}. and
my M^{rs}. liſe to y^m.²

¹ Candifh is evidently an abbreviation of Cavendiſh, as Fofcue is of Fortefcue. Sir John's niece, Mary Wentworth, third daughter of Lord Wentworth by his fiſter Anne Fortefcue, married William Cavendiſh, Eſquire, and this was their ſon. Collins's Peerage, vol. vi. p. 204.

² "This letter, or draft, was written by Sir John Fortefcue, and corrected by Buckhurſt." Note by Mr. Gunton, of Hatfield, who copied the letter for me.—C.

Sir John Fortescue to Sir Robert Cecil.

S^r. not longe before the receit of your tres and good advertifements towching the pre-paracons and defeignes of the Spanish forces I was so much vexed w^t my old sicknes of the wind colike in my stomake, as it made me unhablle to do any thing and thereuppon I have ben enforced to seke help by physick: w^{ch} althowgh I do not think can be hablle to give me perfect cure yet I trust it may give some ease that I may w^t les pagn pafs over the few days of my lief: *nam vite summa brevis spem vetat inchoare longam*: I am entered 8 days into the diet and am to contynue 14 days longer and then I hope to attend hir ma^{tie}. trusting she wilbe come to Richmount or some other of hir houses of abode by that tyme: Youe will not think what comfort I receyved by your tres both that all things doth so well work to hir mats. honour and safety as also to see your advertifements to be so well grounded as the succeffe proveth: for these and many your friendshippes I cannot but rest your debtour and always wilbe ready to make dutyfull acknowledg^{mt}: I most humbly pray youe good M^r. Secretary if any occasion may serve to remembre my duety to hir sacred ma^{tie}. to whom I must now remayne a poor servaunt rather fitt to pray than travell in hir affaires, and yet how so ever my body be weakened I will not desire longer to kepe the same then I may be imployd in what it shall please hir ma^{tie}. to direct me that as in my yough I trust I made a faithfull begining so I may in these my latter yeres finish *καταστροφην*¹ to the good liking of so gratiouse a prince *qualis ut arbitror nulla unq. erit ut affirmare possum nulla unq. fuit* And thus wishing your helth and increafe of moch honour I comend youe to the Lords tuicon. At Hendon this 20 of Septembre 1602.

Your assured and most bounden poore frende,

J. FORTESCUE.

To the right Honorable and myn assured frend S^r. Rob^t. Cecil knight principall secretary and of hir ma^{ty}. pryvye Council.

Sir John Fortescue to Sir Robert Cecil.

Good M^r. Secretary I pray youe shew some favor unto my brother in this bill for the conveyance of the prisoners owt of fraunce w^{ch} althowgh it proved not to have soch ground as I could have wished yet the chardge was no les then is deserved what so ever youe shall allow

¹ Sic in MS.

he must be beholding to youe for the same and I wilbe ready to requyte as it may lye in my power: And so I comend youe to the Lord's tuicon this 17 of Decembre 1602.

Your most assured poore frend,

J. FORTESCUE.

To the right Honorable my very loving
frend S^r. Robert Cecill knigt hir ma^{ty}.
principall Secretary and of hir pryvy
Concell.

Sir John Fortescue to Sir Robert Cecil.

S^r. I shuld forget my self greatly if I shuld not be ready to do youe any frendship or service that might lye in my power and therefore in this matter to deny youe it were in me an undutyfull part: but my trust is youe carry no such suspicion of me and so I rest to do youe any service I can this last of Aprill 1603.

Your assured poore frend,

J. FORTESCUE.

To the right Honorable my very loving
frend S^r. Robert Cecill knight his mat^{ty}.
principall Secretary and one of his ma^{ty}s.
most honorable pryvy Councell.

Sir John Fortescue to Sir Robert Cecil.

My very good Lord althowgh your enterteynement at Salden was soch as I may be ashamed thereof yet your courtofy emboldeneth me to trouble youe in perfeiyting my sute w^{ch} it hath pleased youe to move his ma^{ty}. in my behalf: And for this purpose have sent the warraunt for the lease to be cancelled vpon the assigning the fee ferme w^{ch} my servaunt Richard Tomlyns will deliver unto your L. praying at your conveniency that youe will take tyme for the dispach thereof: I wold have my self attended but the Ls have ap-
poynted me to wait uppon them at White Hall for the coronacon bufines: I humbly pray youe as it may light in your way to excuse the falts and tooe badd enterteynement of their ma^{ty}s. at Salden w^{ch} shuld and owght to have ben moch better if I cold have gotten provisions according to my desire but now am dryven to trust to his ma^{ty}s. goodnes to take in good part the willingnes of his poore servaunt. And so I comend youe to the Lords tuicon

who fend youe contynuaunce of helth w^t increafe of moch honor. At my poore houle at Westm^r Abbey this 5 of July 1603.

Your L. most bounden poore frend ready to do youe service,

J. FORTESCUE.

To the right Honorable the L. Cecill
principall Secretary M^r. of the Wardes
and of his ma^{ty}. most Honorable pryvy
Councell at the Court.

Sir John Fortescue to Lord Cecil.

My very good L. uppon the receyt of your L's. lres and message from his ma^{ty}. by M^r. Percyvall I confesse I was moch perplexed not knowing how to satisfye his ma^{ty}. request and to reteyn my own credit w^{ch} now only in me moore then any man that served our late mistres is depely towched: I omytt all that is passed that I shuld yeld the habytacon of the howse of the duchy to S^r. George Hume,¹ w^{ch} by all chauncellours my prediceffurs hath ben injoyed, and in w^{ch} the recordes of the office ar kept it wilbe a great toche to my poore reputacon, but to accept the dwelling in the warderobe whereof I have ben 45 yeres maister and now to become an under tenant what a basenes of mind might be imputed to me I leave to your L. to judge: in that howse of the warderobe is kept as well the stoare remayning of provisions. the amendement of all stuff: lynning of hangings, and ordinary repaire of arnice,² and contynuall repaire of all artificers apperteyning to the service of that office: that howse not only by use of tyme out of mynd but also by especiall wordes in the chartres expressed is so tyed to the office as neither L. treasorer of Englund nor any other besides the maister may be lodged therein: And therefore I most humbly desire his ma^{ty}. most honorable consideracon w^{ch} he denyeth to none of his subjects: not to urge me to a matter so unconvenyent both to his service and to me: adding to all these inconvenyences before expressed the offences and disagreaments w^{ch} may arrise by the comixtion of S^r. George Humes servants and myne I being in these myn old yeres desirouse to retire my self to quietnes: since it hath pleased his ma^{ty}. to draw me from the course of service in w^{ch} I was experienced: And this in all humblenes I pray his ma^{ty}. may be acquaynted w^t myn answere who am right sorry to deny any his highnes desire if in any fort without my discreditt and overthrow I might yeld to the same. And so I re-

¹ It will be remembered that Sir George Hume, or Home, was appointed to the Chancellorship of the Exchequer on Fortescue's removal from that office.

² "Harnes" must be here meant.

Family of Salden.

comend your L. to the tuicon of the almighty who fend youe your harts desire w^t increafe of moch honour from my poor lodging at Westm^r this 7 of July 1603.

Your Ls. most bounden poore frende,

J. FORTESCUE.

To the right Honorable the L. Cecill
Lord Secretary and of the King's ma^{tie}.
pryvy Councell.

Sir John Fortescue to Lord Cecil.

My honorable good Lord upon the recept of your L^s. lres wherin I understode his ma^{ties}. good pleasure to turne the graunts made unto me of lease to fee ferme I sent your L. the twoe warraunts and desired at your oportunyty alteracon of them not importuning youe but in convenyent oportunyty to be offred: I did also in lres since that tyme retourne my answere toching the Duchy houle w^{ch} I trust his ma^{tie}. will have confideracon of. for if eyther w^{owt} my utter disgrace or in conveniency of service I might have performed my former yelding of my places [I would] have shewed testimonye how apt I am to accomplish his ma^{ty}. desire: I have attended his ma^{ties}. service in London for this his coronacon w^t what perill in this infectious tyme I leave to your L. to confider and onles I wold neclect the same I cold not repayre to Court but wilbe ready to accomplish what so ever I shalbe therein commaunded: And so praying youe to farther my dispach w^t that conveniency youe may I comend youe to the Lords tuicon. At Hendon this 18 of July 1603.

Your L. most assured poore frend,

J. FORTESCUE.

To the right Honorable the L. Cecill his
ma^{ty}. principall Secretarye and of his
pryvy Councell.

Sir John Fortescue to Viscount Cranborne.

My honorable good Lord: I am sorry that my helth giveth me not hablyty to waite uppon youe at this tyme as my desire is never the lesse I have directed M^r. Fanshaw the Auditour to attend youe wth the perticulary^{tes} who will thorowghtly acquaynt yo^r Lo. w^t every thing. The cause of the stay by me made was for that the proceeding was strange that a graunt of £346 land shuld passe from his ma^{tie}. in the Duchye and no officers of that court acquaynted therewith nor any perticuler sued owt: I deteyned hereuppon the lres patents passed the great seale w^{ch} I kepe and have not yet sealed the same wth the Duchye seal: never the lesse I here they have gotten an exemplificacon of them. by what means an examynacon

taken hereof by my L. Treforer w^{ch} the auditour will shew your L. will make knowne unto youe. And thus w^t my bounden duety I comend youe to the Lordes tuicion who contynue your helth w^t increas of moch honour. At my poore lodging at Westm^r. this 18 of March 1604.

Your Lo. most bounden poore frend,

J. FORTESCUE.

To the right Honorable my very good
Lord the Viscount Cranborne principall
Secretary and of his ma^{ty}. pryvy Councill.

Sir John Fortescue to Viscount Cranborne.

W^t my humble duety may it please your Lordship : the great disastre and most miserable accident of the deth of my cosyn M^r. Dudley Fortescue hath so over throwen the estate of his poore children being 3 viz one sonne and twoe dawghters as unles your favorable respect be towards them they ar utterly overthrowen and cast into miserable estate neither havng any thing left either for their bestowment or mayntenance : the sonne being a ward and the goods in dainger to be all lost : my humble request to your Honour is that youe will bestow the wardship uppon me to the use of the said children or if any nearer in bludd to them youe shall thinke meter therefore they may be bound to relief the poor orphans for I desire it not but to that purpose only : the now widow is only mother in law and a yong gentlewoman not likely to contynue w^{out} marriage agayn : the pitiable estate of the poore children make me thus to request your L. favour, for a more lamentable case have I not knowne and do most humbly recomend the same to your L. favourable consideracon, for w^{ch} not only the poor orphelyns but my self and all their poore frendes shall acknowledge their hole prefervacon due unto your Honour whom the Lord long preserve w^t longe helth and felicity w^t increafe of moch Honour : At Hendon this 13 of Septembre.

Your L. most bounden poore frend ready to do youe service,

J. FORTESCUE.

To the right honorable the Lorde Viscount
Cranborne Principall Secretary and of
the Kinges Ma^{ty}. most honorable Prive
Councill.¹

¹ Endorsed by Cecil "Sir John Foskew to me. 1604." Dudley Fortescue was son of Henry Fortescue, of Punstorne, Squire of the Body to Queen Elizabeth. He was Member of Parliament for Sudbury in 1592, and died September 12, 1604. Sir John's application for the wardship was therefore very prompt.

Sir John Fortescue to Viscount Cranborne.

My honorable good Lord w^t my bounden duety my cofen¹ John Fortescue of Filley in the county of Devon : being my nearest kinsman of the name in those parts being sick and in doubt of recovery hath desired me to use my best means for the custody and wardship of his sonne if God of this sicknes shall call him to his mercy : his lyving is not great owt of w^{ch} twoe joynters go owt, one for his mother thother for his wief sifter to S^r. Arthur Chichestre now deputy in Ireland: he hath 12 children and was left in debt w^{ch} he hath not recovered : the bearer hereof can perticulerly informe your Lo. of his estate what I know youe may by the lre enclosed perceave : my humble sute to your L. is that it may please youe to conferre the wardship uppon the mother and such as by him self shall or hath ben put in trust : the favor your Lo. shall shew herein I will account my self bound unto youe for the same and will always be thankfull to the uttermost of my small power As knoweth the Lord to whose blessed hands I comend youe praying him to contynue your helth w^t increafe of moch honor. At my poore house in Westminster this 26 of March 1605.

Your L. most bounden always ready to do youe service,

J. FORTESCUE.

To the right honorable and my singular
good Lord the Viscounte Cranbourne
principall Secretary and of his ma^{ties}.
most honorable pryvye Councell.

Sir John Fortescue to the Earl of Salisbury.

My honorable good Lord How moch your favorable regard to these futors and my redines to accomplish their resonable requests hath ben the very particler by me signed may playnly manifest : in that I gave allowance for the passing these 3 percells amounting to the some of £82 : 19 : 1 : I only added that had it not confisted of 3 percells w^{ch} could not be devidid it had ben moch to have so farre enlardged the warraunt, but it seameth the party either ignorantly or misconceyvingly hath trobled your L. w^{owt} cause and laid burthen on me undeservingly : I have dispatched him presently uppon his coming and trust he will satisfye

¹ This is John Fortescue of Filleigh, now Castlehill, who died in 1605, son and successor of Hugh Fortescue. Sir John is in error as to his marriage with Sir Arthur Chichester's sifter, Elizabeth Chichester being his mother, not his wife. Her sifter, Susannah Chichester, married John Fortescue of Buckland-Filleigh, father of Sir Faithful Fortescue. This John Fortescue died in 1604, and was by one degree more nearly related to Sir John of Salden than was the above-named John Fortescue of Filleigh. This latter and Sir Faithful Fortescue stood in the same degree of relationship to Sir John of Salden. The letter is endorsed by Cecil "Sir John Foskew to me."

your L. that he hath w^owt cause complayned being so well delt withall: as who never stayd on half hower for any dispach in all the busines: And so w^t my bounden duety I comend youe to the Lords tuicon who contynew your helth with increafe of moch Honour. At my poore house at Hendon this 22 of May 1607.

Your L. most bounden poore frend ready to do youe service,

J. FORTESCUE.

To the right Honorable my singlar good
Lord the Erle of Salisbury principall
secretary and of his ma^{ty}. pryvy Councell.

Lord Buckhurst and Sir John Fortescue to Lord Keeper Puckering.

After o^r verie hartie comendations unto yo^r good L^p. Wheras the bearer hereof M^r. Docto^r Woode one of the Advocats in the Arches is desirous to be made knowen unto yo^r L^p. by o^r meanes and also is an earnest futor that by yo^r honorable favour he may be made a master of the Chauncerie extraordinarie. These are to praie yo^r Lp. that yo^u will the rather at this o^r request in his behalf receve him unto yo^r L^{ps}. knowledge and favour as also that he maie be sworn a master of the Chauncerye in such sorte as is by him desired. Wherin yo^r Lp. shall not onelie binde the gentleman in all duetie and service towards yo^r Lp. but we shall acknowledge yo^r honourable regarde of him and be readie to deserve the fame as by anie waies it maie lye in o^r powere. And so we comitt yo^r Lp. into the hands of allmightie god. At Sarisburie Cor^t the xxth of Maie 1593.

Yo^r most assured lovinge frends,

T. BUCKEHURST.

J. FORTESCUE.

To The right honorable and o^r verie
good lo. the L. Keper of the Greate Seale
of England.¹

Sir John Fortescue to Michael Hickes.²

After my hartie comendacōns, Where of late I wrate vnto my Lo: in the behalfe of Griffithe Payne gent for the Eschetorshippe of Oxon and Barks for this yere cominge wth my Letters ever since, as I am enformed have remayned wth yo^u. Theise are therefore to praye

¹ Sir John Puckering was made Lord Keeper on the 28th May, 1592. The original of this letter is in the British Museum, Harl. MS. 6996. fo. 11.

² Brit. Mus. Lansdowne MS. 75, f. 138.

yo^w to acquainte my Lo: w^h my request and w^hall to pcure the Warraunte to be signed for the fame accordingle. And so fare yo^w well from S^r. Albones this xxvith of November, 1593.

Yo^r Lovinge Frende,

J. FORTESCUE.

In this doing I will thinke my self beholdinge vnto youe and requyte it where I may eny wayfe.

To my very Lovinge Frinde M^r. Michael
Hickes at the Court geve these.

Two Warrants relating to Sir Walter Raleigh.¹

Wheras S^r. Wa. Raleighe Knight hath received out of her ma^{ts}. Exchequer the some of eighteene thousande nyne hundred powndes for y^e victalling of fyve thousand fouldye^{rs} by bargaine at nyne pence y^e day each man for three monethes, as also undertooke to transporte the sayde Armye for ye remaynder of the sayd monyes w^{ch} should remayne above ye victual-ling of y^e fyve thousand fouldye^{rs} at nyne pence per diem as aforesaid. Theise are to will and req^r yo^w to take the Accompt of the said S^r. Wa. Raleighe, or fuche as he shall assigne for yo^r deliverye thereof w^h as m^{uch} expedycon as possibly yo^w can, because he may shortly be employed in her Mat^{ys}. servyce. From the Corte the first of Februarye, 1597.

Your loving frend,

J. FORTESCUE.

Wheras yo^w make doubte in what manner yow ar to receve S^r. Walter Raleghs accompte by oathe, because the vitlinge and transportinge was by bargayne, thes ar to lett yow knowe that ether S^r. Walter Raleghe or his deputes ar to depose that so muche vittell was delivered & so many men weare transported to weet five thousande & fortye soldiers vitells for three moneathes, & those 5040 soldiers imbarcked & transported & the fraught, tonnage, vittell for the transporters, the marriners wages prefs and condu^{ct}e w^h all other charges towchinge the transportacion by S^r. Walter Raleghe defrayed. From the Court at Whytehall, this last of marche.

Your lovinge frynde,

J. FORTESCUE.

¹ The originals are in the Britifh Museum, Add. MS. 5752.

*Sir John Fortescue to Sir Thomas Knyvett.*¹

Good Brother I understanded of your comyng to London only this day at dynner. I think their wilbe no cause of your long abode nor any cause of your stay at London if it be not your pryvat; if [for] your cause I wold gladly see youe at Hendon either this night or on the morning where youe shalbe most welcome and happely I may enforme youe what is convenient, for if any new cause were arrisen since my departure yesterday, I am assured I shalbe advertised of the same. Suffolke men were dischardged and Norfolke were appoynted to be dischardged home and therefore I pray youe I may see youe here at Hendon either this night or to morrow dynner. And so I comend youe to the lordes tuicoñ. At Hendon this xviiij of August, 1599.

Your assured Loving frend and brother,

J. FORTESCU.

To my assured Loving frend and Brother
S^r. Thomas Knevit Knight.

*Sir John Fortescue to Sir George Carew.*²

S^r. wth my most heartie comendacions This bearer my cofen Henrie Fortescue being appoynted to have the charge of c. men to serve her Ma^{tie}. in this service in Mounster I doe hartelie praie yo^w for my sake to extend yo^r good favour towards him as ther shalbe cause and yf any of the bandes be increafed unto 150 that yo^u wilbe pleased to augment his company unto that nomber for the w^{ch} I will holde thankfull remembrance And be readie to deserve the same towards any frend of yours as it may be in my power. Thus desyring God to prosper hir Ma^{ties}. forces and the service nowe in hand I leave yo^w unto his tuicoñ. At the wardrobe this xiiijth of October 1601.

Yo^r assured loving frend,

J. FORTESCU.

Addressed:—"To my verie loving frend
S^r. George Carew Knight,
Lord Prefident of Moun-
ster."

Endorsed:—"14th October 1601.
S^r. John Fortescu from the
Court."

¹ Brit. Mus. Harl. MS. 4712, fo. 308.

² Lambeth Library MS. 615, fo. 402.

Sir John Fortescue to Sir George Carew.¹

After hartie comendacōns wheras this bearer M^r. Dillon hathe been an humble suter unto the LL. of her Ma^{tes}. most honorable councell for the placinge a meete and sufficiente captayne in a forte lately erected neere unto Kynfall w^{hin} the province of Munster uppon a grounde whereof this bearer as he informeth ys owner and verie desirous that one Robt Pollard a gentleman who as I am enformed hathe served in Ireland and well commended to be preferred to the same service, I therefore praye yo^u to have confideracon of him who is partly alliaunced unto me his mother being a Fortescue, And what yo shall do for him I will take to be donne for my sake, and so commendinge them and their suite to yo^r good favour, I leauinge yo^u to the tuition of the Almightye. Wardrobb this xth of Maie 1602.

Your assured loving frende,

J. FORTESCUE.

Addressed:—"To my honorable good frend S^r. George Carewe Knight, Lo. Prefident of the province of Munster in the realme of Ireland. DD."

Endorsed:—"From S^r. Jhon Fortescue Chancellor of the Exchequer the 10th of May, 1602. Received the 10th of Sept. 1602."

Sir John Fortescue to Michael Hickes and William Walgrave Esquires.²

After my hartie Comendacoñs I send yo^u hereinclosed a peticoñ w^{ch} hathe byne exhibited sente me by a poore widdowe one Mary Smythe as yo^w may pceave Prayeng yo^w to have suche confideracoñ of the reasons therin aleaged as is fytt and yf yt be trewe as is fermised that foe latelie the land was taken by Coppie and the Quenes fyne and services paid, I think it reasonable that the poore widdowe be favored in the myttegacoñ of her fyne w^{ch} I praie yo^w have respect unto as to equitie appteyneth, or to certifie me the trewth of the cause

¹ Lambeth Library MS. 615, fo. 478.

² Brit. Mus. Lanfd. MS. 88, fo. 63.

w^h yo^r opinioⁿ. And foe I comytt yo^w to God. At the wardrobe this xiiijth of Januarie, 1602.

Yo^r loving^e frend,

J. FORTESCU.

To my trewe lovinge Friends M^r. Micheall
Hickes and M^r. Willm Walgrave Esq^{rs}.
Stewards of her Mat^s. Manno^r of Barkney^e
in the Countie of Effex. DD.

Sir John Fortescue to Sir John Thynne.¹

Sir. By a warrant from me directed unto you this bearer Henry Brewer servant unto my verie good lord the L. Chancellor of England, & his brother Thomas Brewer were admitted tenants unto the reversion of a Coppie-hold in Hynton in Co. Wilts. I understand he tendered the fyne according to the rate you [asked], w^{ch} was 4*l*, the rent being but ^s3 ^d4: and you refused to accept of the same. I doe praie you let the fyne be received & give him full admittance the partie being an honest poor man & servant to so honorable a person & also to extend y^r good favour in this or any other matter, the partie deserving well: for the which I will thank you. Soe, not doubting hereof, with my hearty commendations I commytt you to God. At Winchester this 24 November 1603.

Y^r very loving frend,

J. FORTESCU.

To my verie loving frend Sir John
Thyn, K^t.

APPENDIX TO CHAP. XIV.

A.

Books given by Sir John Fortescue to the Bodleian Library.²

Donum Johannis Fortescue Militis, Reg. Mat^{ti}. à Consiliis, A.D. 1601.

Choniatae Thesaurus orthodoxæ fidei. Græ. fo. MS.

Chrysofomi Homiliæ in introitum Quadragesimæ. Græ. fo. MS.

Bafilus in Ifaiam. Græ. fol. MS.

Manuelis Philii liber de Proprietatib. animalium. Græ. 4. MS.

¹ Copied from the original letter at Longleat.

² From List of Benefactors to Bodleian Lib., vol. i. fol. 23.

- Jo. Comatirus de Aſtrorum conſtitutione. Græ. 4. MS.
 Euripidis Tragœdiæ aliquot cum Comment. Græ. 4. MS.
 Clemens Alexandrinus. Græ. fo. Flor. 1550.
 Nazianzenus. Græ. fo. Bas. 1550.
 Dionyſius Halicarnaſs. Græ. fo. Par. 1546.
 Dion Caſſius. Græ. fo. Par. 1548.
 Novum Teſtamentum. Græ. fo. 1550. Steph.
 Epiſtolæ Baſilii Magni, Libanii, Chionis, et aliorum. Græ. 4. Aldus. 1599.
 Rhetores Græci. 4. Ald.
 Ariſtotelis Opera Græ. cum Theophræſto Græ. 6 vol. fo. Ald.
 Platonis Opera. Græ. fo. Ald.
 Ariſtophanes cum comment. Græ. fo. Ald.
 Biblia Hebr. cum Tharghum et Rabin. Com. 4 vol. 3 edit. fo. Ven.
 Pentateuch. Heb. MS. cum interlineari tranſl. Lat. fo.
 Pſalmi Hebr. MS. in 16.
 Ezechiel Heb. MS. cum interpret. interlineari et marginali Latina. 4.
 Biblia Heb. 4. Steph. 6 vol.
 Biblia excus. in pergameni vulg. Edit. fo. Steph.
 Chryſoſtomus in Matthæum de Opere imperfecto. Lat. fo. MS.
 Pſalterium Nebienſis. Hebr. fo.
 Dionyſii Carthuſiani Epiſt. et Evangeliorum Dominicalium Enarrationes cum Homiliis quibuſdam.
 Fo. Par. 1544.
 Thauleri Conciones et Opera omnia. Fo. Col. 1548.
 Blondi Hiſtoriæ. Fo. Bas. 1531.
 Quintus Curtius. 4. MS.
 Arias Montanus in 12. Prophet. Fo. Ant. 1571.
 Theſaurus linguæ Lat. Steph. 3 vol. fo. 1543.
 Æneæ Sylvii Opera omnia. Fo. Bas.
 Tho. à Campis vel Malleoli Opera. 8. Ant. 1574.
 Suetonius cum Lævini Torrentii Comment. 4. Ant. 1591.

B.

Sir John Fortescue of Salden poſſeſſed the following Manors and Eſtates :¹—

The Manor of Grandborough, in Aſhendon Hundred, granted to him by Queen Elizabeth for a conſideration in 1598. Sold by his ſon, Sir Francis Fortescue, in 1619, to George Villiers, Duke of Buckingham.

Drayton Parflow or Paſſelewe, in Cottelſow Hundred, bought by Sir John Fortescue in 1562.

¹ Taken from Lipſcomb's Bucks.

Little Horlow, in Cotteslow Hundred, bought by Sir John Fortescue in 1599; sold by his son in 1619 to the Duke of Buckingham.

Winflow, with Shipton, in Cotteslow Hundred, bought by Sir John Fortescue in 1599 for 2329*l.* 7*s.* and 1*d.* Sold by his son in 1619 to the Duke of Buckingham.

Salden, in Cotteslow Hundred, bought by Sir John Fortescue before 1580.

Stewkley or Woburn-Abbey Manor, in Cotteslow Hundred, bought by Sir John Fortescue.

Tickford Abbey Manor, Newport Hundred. Sold to Sir John Fortescue by the Crown upon the attainder of the Earl of Essex, who had it before.

Shenley, in Newport Hundred. Sir John Fortescue obtained Shenley through his first wife, Cicely, daughter of Sir Edmund Ashfield. It remained with his posterity until sold, in the last century, by the Whorwood family.

The Rectories of Swanbourne, Whitchurch, and Winflow, were granted to Sir John Fortescue in the 24th of Elizabeth.

C.

*Remembrances for Sr. Jo. Fortescu.*¹

1. None but in the j fruits office. vjs.

2. As in my former note.

3. Confessed by Stanton.

4. 20 lib. onely.

5. No warrāt for 200 lib. & therefor reanswered by Sr. Walter Mildmay.

6. All y^e star chāber. the Trefory chāber. & a chāber in the Excheq^r. & Vinytr. howfe.

7. None but as a Comissioner.

8. All and absolute.

9. By war. to trēr & chamberlain & the vnder treforer vnderstood under the word Trēr.

10. Yea, by custome & cōmon lawe, under black booke for cleric' thesaurarii.

11. Absolute.

12. No.

1. What fees are due for his hand at any time, saving y^e 20 lib following.

2. What for the seale.

3. Whether 20 lib for passing the customers declaration at Christmas out of Mr. Fanshawes office.

4. Whether not 30 lib or what part thereof (20 lib) for the halfe yeres declaration of revenewe in Mr. Skinners Office.

5. Whether not 200 lib for attendāce & 40 lib for diet extraordinary.

6. What howses, romes or chambers for his ease.

7. What Interest in the pufall, viewe, disposing or keapinge of the subsidy bookes.

8. What authority in the issuenge of the Kings moneye; or over the 4 tellers in assigning payments to & frō any of them.

9. By what warrant the undertrēr issueth that money, & to whō directed.

10. Whether a warrant directed to the L. Trēr & the 2 Chamberlains bee a sufficient warrant to the vndertrēr to joyne in warrant wth the L. Trēr for issuing the K^s. money.

11. What authority the Chancelor or Undertrēr hath to enforce any by imprifonment to pay a liquide debt to the Kinge, & whether by his messenger to arrest thē.

12. Whether the Barons may cōpound for or install any debt w^{thout} the l. Trēr or the Chancelor or undertrēr.

¹ Brit. Mus. Lanfd. MS. 168, fol. 177.

13. them and besides the butler and cook of star-chamber.

14. Equall wth the l. Trēr for punifshing things amiffe & for examining.

15. None.

16. Weekly.

17. Equall to y^e l. Trēr.

30 or 40 lib.

Nothing.

2200^l. 1400^l 60^l 40^l each.

Once a yere, & that in March.

To overfee theire doinges & commaund copies. The 1. I have, the 2 hee hath not.

13. What offices the Chancelor or undertrēr may bestowe besides the clerk controller of the Pipe the clerk of the plees, the clerk of the nichels, the feller, the understeward of y^e Star chamb^r & the 2 praisers of the custome howfe & 2 pursuivants.

14. What peculiar or joÿnt authority wth the L. Trēr hath the chancelor or undertrēr in the custome howfe over the Offices there, or in those causes.

15. What place or diet allowed in Court for the Chancelor or undertrēr, & where.

16. What attendance required there of him, whether weekly wth the weekly certificate.

17. What authority hath hee to meddle in mint bufines, or wth mint officers.

18. What confideration comonly taken for a Stewardship, a bailiwick, a surveyorship, a woodwardship graunted by himfelfe to a stranger or frend.

19. What for putting his hand to that graunted by an other.

20. What the *Clerk of the plees* office is wourth what the *cōtroller of the pipe*, & what the *nichels*, & what the *praisers of the custome howfe*.

21. What authority over the Auditors, to take theire declarations.

22. What over the Pipe Office & officers & what desire the lone of the copy of the black boke, and of the red if his Ho. have it.

Endorsed:—"Remembrances for S^r. Jo. Fortescue,
24 Julii 1606."

D.

Sir John Fortescue's Patent as Recorder of Cambridge.

This Patent appoints him to the office of Recorder for the term of his natural life in the room of Sir Thomas Egerton, Lord Keeper of the Great Seal, and gives him a salary of 4*l*. 12*s*. per annum.

Sir Thomas Egerton was elected High Steward of the town of Cambridge, *vice* Roger, Lord North, deceased Dec. 29, 1600, and on the same day Sir John Fortescue was elected Recorder, *vice* Egerton.

Francis Brackyn, Esq., was Deputy to Sir John Fortescue, as he had been to his predecessors Lord Hunsdon, and Sir Thomas Egerton.

From Cooper's Annals of Cambridge, ii. 599-600, and the Records of the Corporation of Cambridge.

E.

The renewed search for the missing portrait of Sir John Fortescue of Salden, who died in 1607, was begun in July, 1878, and perseveringly and thoroughly conducted by Mr. Richard Sims. It was the Reverend Michael Dwane, of Weston-Underwood, who first ascertained that the picture was still in existence, and where it was to be found.

It was shown to have passed from the Fortescues on the failure of male heirs of Sir Francis Fortescue, the last Baronet, at his death in 1729, to the Whorwoods of Weston-Underwood, who inherited by marriage one-half of the estate, and of Salden House; and it is mentioned by the Reverend William Cole, of Bletchley, who wrote in 1778, as having been seen by him at Mrs. Whorwood's house at Weston-Underwood, where it was, no doubt, carried when that half of Salden House which fell to the share of the Whorwoods was demolished in 1743. From that family it descended by marriage to the Greenwoods of Brize-Norton, and from them, also by marriage, to the Pattersons of Leamington Priors, and it has thus been traced down to the present generation. Having in recent times fallen into the hands of those who did not consider it as a family relic, it was parted with, and has become the property of the writer of this History of the Fortescues.

F.

Special Commissions on which Sir John Fortescue was appointed to serve, in the Reigns of Queen Elizabeth and King James I.

March 26, 1593. *Rymer, vii. Pⁱ. i. p. 117.*

Special Commission concerning Jesuits and other persons coming secretly from parts beyond the seas.

To Lord Buckhurst, Sir Robert Cecil, Sir John Fortescue, Sir John Wolley, and several others.

April 2, 1601. *Rymer, vii. Pⁱ. ii. pp. 14, 15.*

Special Commission for the Suppression of Piracy.

To The Earl of Nottingham Lord Admiral of England, Sir John Fortescue Chancellor of the Exchequer, Sir John Popham Chief Justice of the Common Pleas, and others.

April 28, 1601. *Rymer, vii. Pⁱ. ii. p. 20.*

Special Commission concerning the granting of Pardons to persons engaged in the Rebellion of the late Earl of Essex.

To Sir Thomas Egerton Lord Keeper of the Great Seal, Lord Buckhurst Lord High Treasurer, The Earl of Nottingham Lord Admiral of England, Sir Robert Cecil, Sir John Fortescue, Sir John Popham, and several others, of whom Egerton, Buckhurst, Nottingham, Cecil, and Fortescue, or any two of these, must be present at the meetings of the Commissioners.

May 5, 1601. *Rymer, vii. Pt. ii. p. 22.*

A Special Commission for treating with the Persons to whom such Pardons are granted, for their ransoms and fines.

To the same persons, or nearly the same, as those in the foregoing Commission, of whom The Lord Keeper, Lord Treasurer, Lord Admiral, Sir Robert Cecil, or Sir John Fortescue must be there present at the meetings of the Commissioners.

January 29, 1603. *Rymer, vii. Pt. ii. p. 61.*

A Special Commission concerning Jesuits, Seminary Priests, and other Priests.

To The Lord Keeper, Lord Treasurer, Lord Admiral, and several more, including Sir John Fortescue, and Sir Robert Cecil.

September 5, 1604. *Rymer, vii. Pt. ii. p. 122.*

A Special Commission by King James for the banishment of the Jesuits.


To the Lord Chancellor, Lord Treasurer, Lord Admiral, Lord Burghley, Sir John Fortescue, and some others.



Monument to Sir Francis Fortescue Knight of the Bath,
in Murseley Church, Bucks.

CHAP. XV.

The Fortescues of Salden continued.

IR JOHN FORTESCUE was succeeded in his estates by his eldest son, Sir Francis, who was member of Parliament for the town of Buckingham in the Parliaments of the 31st and 35th of Elizabeth, A.D. 1592 and 1597, and in 1600 served as a knight of the shire for the county of that name.¹

At the coronation of James I. Sir Francis was among the sixty-two gentlemen upon whom he, in one day, conferred the Order of the Bath. Stowe says, "Sunday (the 24th of July, 1603) was performed the solemnitie of Knights of the Bath, riding honourable from St. James' to the Court, and made shew with their Squires and Pages about the Tilt-yard, and after went into the Parke of St. James, and then lighted all from their horses, and went up to the King's Majesties presence in the Gallery, where they received the order of Knighthood of the Bath."²

He inherited from his father the "Fostership" of Cornebury Park and Whichwood Forest, as appears by entries in the State Paper Calendars,³ an appointment which probably accounts for the expression of "poor keeper" in the following letter:⁴

Sir Francis Fortescue, Knight of the Bath, to the Earl of Salisbury.

Right ho^{bl}. my very good Lord: As I cannott excuse my self altogether to yo^r Lo^d. in that I have nott in person shewed my self as I ought, havinge receaved many ho^{bl}. favoures heretofore from yo^r Lo^d. and lately by my uncle Parrye more good speeches then any way I have deserved: So I have nott bin other wise negligent but attended often to have done my duty: but y^r Lo^d. occations and his ma^{ty}. services prevented me to offer my service unto yo^r Lo^d. and w^{ch} now I presume to doe by my Letter: assuringe yo^r Lo^d. wherin yo^r shall have occasion to commaund me I wilbe ever found nott only most willinge and reddy butt juste and faithfull and thus humbly cravunge pardon for this my boldnesse in presuminge to trouble yo^r Lo^d. and that yet will please yo^r Lo^d. to vouchsafe to accept of a poore keepers present w^{ch} this bearer my servaunt is to deliver and accompt of me as one yo^r Lo^d. shall ever commaund. I commytte yo^r Lo^d. to god: Salden this 27 of Marche 1608.

Yo^r. Lo^d. most humble to commaund to his power,

FRA : FORTESCUE.

To the right ho^{bl}. my very good L. therle of
Salisbury att the Court.

¹ Lipcomb's Bucks, vol. i. xxii. and vol. ii. 560.

² Stowe's Chronicle, p. 827.

³ State Paper Calendars, Dom. June 9, 1606, and Dec. 23, 1611.

⁴ From the Cecil Papers at Hatfield.

Sir Francis married Grace, daughter of Sir John Manners of Haddon, in Derbyshire, second son of Thomas, Earl of Rutland, by whom he had issue eight sons and five daughters.¹ He died in January, 1623, and his widow in 1634, and both were buried in Mursley Church, as we have already seen.

Of the sons, whose names will be found in the Pedigree, John, the eldest, succeeded his father; Gilbert, the third son, born in 1598, married Mary Woolridge; he died without issue, and was buried in St. Gregory's Church, London, April 29, 1623.² His will, dated April 23, 1623, was proved at Doctors' Commons, May 24, 1623, his relict, Mary, administering.³

Adrian, the fourth son, who was born in 1601, and died in 1653, is known to us only through the long Latin inscription on his tomb in Hodlington Church, Worcestershire, from which, after making due allowance for the usual exaggeration of such compositions, we may gather that he was remarkable for piety and learning:—

Sta,
Viator, et in
Demortui vestigiis
Viam immortalitatis
Lege.

Hic jacet D. Adrianus Fortescutus, ex illustri Fortescutorum de Salden familia oriundus, cui fati non erat nobilitate sanguinis insigniri, nisi partum a majoribus splendorem majori virtutis suæ luce decoraret. Adolescens igitur, parentibus, amicis, patriæ, valedixit: et in maximam Europæ partem, studio discendi peragrans Belgice, Gallice, Italice, Latine, Græce, Hebraice, sic loqui didicit, ut et doceret. Neque modo linguam excoluit, sed mentem etiam liberalibus artibus, ac sublimi philosophiæ et theologiæ scientia, nec non sacrarum litterarum mysteriis expolivit. Eo demum perfectionis evasit ut rerum caducarum illecebras procul abiciens mundo, carni, sibi que ipse bellum indixerit, quo, (Christo duce ac auspice) feliciter defunctus, meruit esse in prælio victor, in pace martyr, utrobique cælis arisque dignus. Tandem annos emensus quinquaginta duos, virtute magis quam ætate plenus, postquam vitam labore, mortem patientia vicerat, obiit xiii Decembris, anno salutis MDCLIII, terris corpus, superis anima, posteris omnibus avitæ fidei et ardentissimi Deum erga proximumque amoris, Christianæ denique militiæ relinquens monumentum.

Nunc abi, lector,
et quo poteris gressu ad æternitatem breve
præeuntem sequere.⁴

¹ Mursley Parish Register.

² See Registry of St. Andrew's, Wardrobe.

³ Doctors' Commons' Wills.

⁴ Nash, in his History of Worcestershire, vol. i. p. 292, says that, "the foregoing inscription upon a brass plate taken off a tombstone in Hodlington Church, is now lodged at the Talbot, a public-house in the village."

William Fortescue, fifth son of Sir Francis, was born in 1602. He married Anne Webb, having inherited through his mother, Grace Manners, the estate of Bosworth Hall in Leicestershire.¹ He died in 1639, and was buried at Mursley. By his wife he left, with other issue, Charles, of Husband's Bosworth, or Bosworth Hall, married to Frances,² daughter of Sir Francis Bodenham, of Rye Hall, Rutland, by whom he had one son Charles, married to Elizabeth Loggin, and who died at Brussels in 1664, and one daughter, Frances, married to William Turville, Esquire, of Aston-Flamville, Leicestershire. Charles Fortescue had issue by the above-named Elizabeth Loggin a son, Francis, and a daughter, Maria-Alathæa, who both died without issue, Francis in 1748, and his sister in 1763. Upon the latter event the Husband's Bosworth estates went under that lady's will to Francis Fortescue-Turville, passing over his father, William Turville³ of Aston-Flamville, who was the son of Charles Turville, and grandson of Francis Fortescue and William Turville before-named. Francis Fortescue-Turville, who thus inherited Husband's Bosworth, married Barbara Talbot, daughter of the Hon. John Joseph Talbot, and sister of Charles, fifteenth Earl of Shrewsbury. He died in 1839, and was succeeded by his son, George Fortescue-Turville, born 1782; married, in 1826, Henrietta, daughter of Adolph von der Lanckin, of Mecklenburgh-Schwerin, and died in 1859, having had issue, with other children, the present Sir Francis Charles Fortescue-Turville, now of Husband's Bosworth, or Bosworth Hall.⁴

I am indebted for part of the above information to the late Mrs. Fortescue-Turville, who very kindly replied to my queries relating to the Fortescues and Turvilles.

We return now to the daughters of Sir Francis Fortescue of Salden. These were, first, Frances, born 1590, died unmarried; Dorothy, born in 1593, and married to Sir Robert Throgmorton,⁵ of Weston-Underwood, Bucks, and of Coughton, in Warwickshire—she died in 1650, and was buried at Coughton; Frances, a chanoiness of the order of St. Augustine, of the English monastery at Louvain; and Mary, married to John Talbot, tenth Earl of Shrewsbury.

John, the eldest son of Sir Francis, was baptized at Mursley in 1592.⁶ He married Frances, daughter of Sir Edward Stanley, Knight of the Bath, of Ensham, in Oxfordshire, and was, by Charles I. in 1636, created a Baronet of Nova Scotia. He was in arms on the King's side in 1644, and was taken prisoner⁷ near Islip, in Oxfordshire, in May of that year,

¹ See Mr. Fortescue-Turville's account, in 1857, to Mr. Fortescue-Brickdale, from his title-deeds.

² She died April 15th, 1697. See her tomb in Aston-Flamville Church, where I copied this epitaph in August, 1859:—"Hic jacet Francesca Fortescue uxor Caroli Fortescue de Husband's Bosworth, Armigeri. Obiit 15^o Aprilis, Anno Domini 1697."

³ This William Turville died in 1777.

⁴ Burke's Landed Gentry, art. "Fortescue-Turville."

⁵ See Horn, in Bucks Records, and Cole and Brown-Willis MSS.

⁶ Mursley Register, Napier's Swyncombe, Turville Pedigree.

⁷ Lipscomb, iv. 282.

having been surpris'd by Sir Samuel Luke, the Parliamentary Governor of Newport-Pagnell. Sir John Fortescue died in September, 1656, and was buried at Mursley.¹

In this generation some of, if not all the Fortescues of Salden returned to the faith of their ancestors, which Sir John the statesman had been the first to exchange for the reformed religion. The children of this the first baronet were certainly Roman Catholics. These were, first, Sir John, the second Baronet; Sir Edward, who was knighted in 1641, married twice, first to the daughter of Robert Brookelyn, by whom he had no children; secondly, to Mary, daughter of Gilbert Reresby. He was buried at Mursley, February 14, 1662, having had issue with another son, who died childless, and four daughters, a second son, Francis, whose son Francis succeeded to the Salden property, and to the baronetcy as fourth baronet, upon the death of Sir John, the third baronet, in 1717.

We return to Sir John Fortescue, the second baronet. He was baptized July 13, 1614, at Mursley, and was buried at that place, June 14, 1683, having married three times. His first wife was Margaret, daughter of Lord Arundel of Wardour, who died in 1638, leaving two daughters, Frances and Elizabeth; Frances married, at Mursley, May 18, 1657, to Henry Benedict Hall, Esquire, of High Meadow, in Gloucestershire, whose only child, Benedicta Theresia Maria, married Thomas, first Viscount Gage. This lady, of whom Burke says that, "if the attainders affecting the great house of Northumberland were reversed, she was co-heir through Fortescue and Stanley to the ancient baronies of Percy, Poynings, and Fitzpayne,"² became, with her cousin, Thomas Whorwood, co-heir to the Salden estates on the death of Sir Francis Fortescue in 1729. Elizabeth, the second daughter of Sir John of Salden by his wife Margaret, married Brome Whorwood, Esquire, of Sandwell Hall, county of Stafford, leaving issue a son, Thomas, just mentioned.

Sir John's second wife was Mary, daughter of Sir William Stonor, of Stonor, Oxon. Their children were Sir John, the third baronet; William, born in 1645, who died childless; and Lucy, who died young.

The third wife was Elizabeth, daughter of Sir John Wintour of Lydney, in Gloucestershire, who died in 1674, having had three daughters, Dorothy, Elizabeth, and Lucy, who all died young.³

Sir John Fortescue, born 1644, succeeded his father as third baronet, in 1683, and died, at the age of seventy-three, in 1717, without issue.

The title and estates upon this event passed, as has been seen, to Francis Fortescue, the son of his first cousin, and grandson of Sir Edward Fortescue by Mary Reresby. This last baronet married Mary, daughter of Richard Huddleston, Esquire, of Sawston Hall, Cambridge, but had no issue; he died at Bath on the 9th of November, 1729, and was buried

¹ Mursley Register.

² Burke's Peerage, art. "Viscount Gage."

³ Mursley Register.

with his ancestors in Mursley Church on the 23rd of that month.¹ He was the last male descendant of Queen Elizabeth's minister, and, so far as we know, of Sir Adrian Fortescue also.

The extinction of the male heirs of the founder of the Salden Family was soon followed by the destruction of the family mansion.

It seems strange, although it is not uncommon, to find so little value either sentimental or pecuniary attached to a fine old house, that it is sold for its materials for a paltry sum and pulled down; such, however, was the fate of Salden House.

The property fell to Lady Gage and Mr. Whorwood, in equal shares, under the will of Sir John Fortescue, who had died in 1683—the house itself being allotted half to one share and half to the other!² Brown-Willis, who saw the demolition with sorrow, says that in May, 1738, “that part of the mansion which belonged to Lord Gage, including the dining-room, or gallery-chamber, and half the noble front side was begun to be pulled down, having been sold to a joiner, Thomas Harris of Cublington, for 400*l.* or 500*l.*,” and this part thereby became totally demolished. “Harris was allowed four years for removing the materials.”

A famous old alabaster chimney-piece, much admired, was sold to Lord Fermanagh (Verney) for about 5*l.*, and put up at his seat at Middle Claydon.

“In September, 1743, the remaining part of Salden House was sold by Mr. Horwood or Whorwood, and was begun to be pulled down, and the once noble seat, the finest in the county, entirely demolished—except a small part which served as passage from the lofty kitchen to the hall and great parlours.”

There was an immense quantity of stained glass in the windows with the quarterings of the family arms, and of the houses allied to the Fortescues. Willis and Cole have carefully recorded all the coats with their emblazonments. The former says that he himself bought for a trifle eight of the coats of arms, two of which he put up in the east window of a chapel at Fenny-Stratford (built by himself), and two were, in 1760, in the parlour of old Whaddon Hall.³ Some of the coats were presented to Judge Fortescue (Lord Fortescue of Credan).

Mr. Horn, in his paper read before the Buckinghamshire Architectural and Archaeological Society, and printed in 1854 in the first volume of their journal, thus describes the present appearance of the site:—

“The situation is splendid, and bears some marks of former grandeur. There are remaining a large piece of water, which doubtless helped to supply the family with fish; a

¹ Mursley Epitaph and Register.

² See Mr. Lord's Paper on Salden, in Cole's MS.

³ The foregoing account of the fate of Salden House is from Brown-Willis, Cole, and Rev. Mr. Horn, in Bucks Records, vol. i., kindly pointed out to me by the Rev. Charles Lowndes of Hartwell Rectory.

circular mound, surrounded here and there by a straggling hawthorn bush, the remains, it may be presumed, of a well-clipped hedge which served as a fence to the bowling-green, where it is said that one of the Fortescues was killed by the stroke of a ball. This bowling-green was in a field still called 'The Beggars' Mead,' because there the broken meat from the house was daily served out to the poor. One or more of the owners of the great house is reported to have been in the habit of giving half-a-crown to each poor person of the parish he met with in his walks. On digging around the site of the house traces of cellars have been found. The double-terraced walks of the gardens are still to be seen, with the fine old yew-trees which stood near the lodge at the entrance towards the south; while in various parts traces of the wall that surrounded the building are visible—the wall in some places still standing entire, with portions of the original stone coping upon it."

The foregoing account agrees entirely with my own observations during an hour spent at Salden on the 12th of August, 1863.

The situation is a very fine one, commanding rich and wide views—never richer than at the time of my visit in the midst of a harvest of corn crops unusually luxuriant, and in brilliant weather.

Salden is about twelve miles from Aylesbury, and four from Winslow. It is easily reached from Bletchley Station, distant eight miles.

Mr. Lord, the rector of Drayton Passelowe adjoining Salden, writing in 1758, thus reflects upon the transient splendour of that house:—"What man proposes God disposes; for though that great man, Sir John Fortescue, had amassed such vast estates in this county, yet they are all now divided amongst several possessors. The ruins of his magnificent house are almost destroyed, and his name is quite blotted out. I cannot help observing here that Horace was wrong in saying that—

'Ætas parentum pejor avis tulit
Nos nequiores, mox daturos
Progeniem vitiosorem.'¹

For if you look into the 'Notitia Parliamentaria,' you will find that great minister of state as careful to get his own family into the House as any of our present ministers are; and no doubt the rest of them did the same thing. Pray, then, where was the difference between their times and ours in that respect?

"This vast estate was soon reduced to the narrow bounds of Salden and half Drayton."

We may, from the foregoing, assume that Salden and half of Drayton-Passelowe formed the estate which, on Sir Francis Fortescue's death in 1729, passed, under the will of Sir John Fortescue² who died in 1683, to Viscount Gage and Mr. Whorwood in equal shares.

¹ Horace, Book iii. ode vi.

² Mr. Lord's Paper in Cole's MS., p. 6, written in 1758.

The whole estate was sold before the end of the last century. It is now the property of Mr. Selby Lowndes, by whom a fee farm rent is still paid to Sir Francis Fortescue-Turville for Mursley, and another for Salden, which constitute the only remaining trace of the former connection of the Fortescues with their Buckinghamshire estates.¹

It will be remembered that Sir Adrian Fortescue left, besides his eldest son John, two sons, Thomas and Sir Anthony. As both of them, as well as two of the descendants of the latter, are mentioned by contemporary writers, I devote a short chapter to their memories. It is not known that any male representative of this branch is in existence.

Thomas Fortescue, of Donnington, Sir Adrian's second son, was born, as we have seen from his father's memorandum, at Shirborne in Oxfordshire, on the 13th of May, 1534.

He appears to be the author of a collection of essays on various subjects translated from the French, in a small 4to. volume of black letter, 190 folios. The title is: "The Foreste; or Collection of Histories, no less profitable, then pleasant and necessarie, dooen out of Frenche into Englishe, by Thomas Fortescue. *Aut utile, aut jucundum, aut utrumque.* Imprinted at London by Jhon Kyngston for William Iones. 1571. And are to be sould at his newe long shoppe at the Weste ende of Poules."

A second edition was printed in 1576 by "John Day dwelling over Aldersgate;" and Drake, in "Shakespeare and his Times,"² mentions a third edition, published in 1596. It was licensed in 1570.³ The translator tells us in his preface that the book "was written in three fundry tongues, in the Spanish first by Petrus Messia, a Gentleman of Seville, and thence doon into the Italian, and last into the French by Claudius Gruget, late Citizen of Paris." Fortescue dedicates his translation to Sir John Fortescue, then John Fortescue, Esquire, "Maister of the Queenes Majesties Great Garderobe." On the back of the title-page is his own coat of arms, of which a fac-simile is given in the following woodcut, the crescent for difference marking the second son. The subjects of the treatises are most various, and some of them very curious. The book is somewhat rare, and, when found with uncropped margins, has sold for from 4*l.* to 5*l.* 15*s.*

If it were not that the coat of arms almost identifies Thomas Fortescue of Donnington as the author, there would be some probability in favour of assigning the work to Thomas Fortescue of the Fallapit line, eldest son of another Thomas, who was a Fellow of Exeter College, Oxford, so elected in 1557, and in 1566, as Petreian Fellow, was allowed to travel for four years to study medicine and civil law in France and elsewhere, receiving an

¹ This information is contained in a letter from the late Mr. Fortescue-Turville to the late Mr. Fortescue-Brickdale, dated February 22nd, 1857.

² Shakespeare and his Times, vol. i. p. 543.

³ Collectanea Hunteriana, Brit. Mus. Add. MS.; Collins's Stationers' Register, ii. 16.

allowance of 6*l.* 13*s.* 4*d.*, besides the rent of his rooms. This term would bring his return to Oxford to the year 1570, the year before the first publication of "The Foreste."¹

Thomas Fortescue of Donnington sat in Parliament for several years in the latter part of his life,² being chosen member for Wallingford in the Parliaments of the 35th, 39th, and

A virtute orta occidunt rariùs.



Hæc tua prima, hæc antiqua sunt, non alia pono.

43rd years of Elizabeth.³ He was present at the funeral of his brother, Sir John, in 1607. He held the office of Deputy in the Office of Alienations for twenty years under Cecil

¹ For the above particulars I am indebted to the kindness of the Rector and Fellows of Exeter College, from whom I received a gift of a copy of the "Registrum Collegii Exoniensis," edited by the Rev. C. W. Boase, and privately printed at Oxford in 1879. See also p. 28 of this volume, and the Pedigree of the Second Line of Fallapit.

² Willis's Not. Parl.

³ His name appears in D'Ewes' Parliaments of Elizabeth, page 639.

Earl of Salisbury, and others; and in February, 1611, a few months before his death, he petitions James I. for leave to "nominate a person in his place."¹ He lived at Donnington near Newbury in Berkshire, and is found by an Inquisition Post Mortem, taken at Guildhall, to have had a messuage in St. Dunstan's, Fleet Street, and lands in Donnington and Newbury.

He died on Easter-eve, 1611, unmarried, aged seventy-seven years. By his will, dated 10th of May, 1608, he leaves his "fundry lands in Berks" to Sir William Fortescue, second son of his brother Sir John. The executors are his nephews Sir Francis and Sir William Fortescue. He desires to be buried in the chancel of the church of Welford near Donnington, where he had erected a very handsome monument to his mother, already figured in this volume.²

By entries in the Originalia Rolls, Thomas Fortescue was found possessed, in the 16th of Elizabeth, of the advowson of the Church of Hodnett in Salop, and, with his brother-in-law Sir Thomas Bromley, of the Manor of Betton in that county. He also had the Manor of Charlton in Kent, two miles from Greenwich. "Queen Elizabeth, in 1573, granted a lease of this manor to Anne, Lady Parry, who left it to Thomas Fortescue."³

On the 28th of June, 1561, the Queen grants to Thomas Fortescue the custody (i.e. wardship) of Anne Thuringe and Urfule Thuringe.⁴

The following letter written by him from his brother Sir John's house at the Great Wardrobe has survived.

Thomas Fortescue to Sir Thomas Knyvett.

Loving Brother wth my hartie cōmendacoñs unto yo'self and my Sister certifyinge the healthe of all frendes here hoping the like wth you.

Where I delyvered unto yo' brother M^r. Edmund Knyvett a legier Booke of the Monastery of S^t. Albons upon his promise of Redelyvery of the same. So it is that fithens my delivery of the said Booke my honorable Brother hath purchafed dyverse landes in the Countie of Buck w^{ch} were parcell of the possessions of the said monastery and desirous to see the booke hath willed to me to fende for the same booke. I pray that the same may be sent up safe and brought to the Wardrobe wth as mutche expedicōn as may be. I wrote heretofore unto you the last michās terme for the same but have not herde from you. And now having mett wth a gentelman yo' neighbour at Bracon Ashe I thought meete to write agayne praying yo' spedy answere, And so leaving you to the tuicōn of thalmighte rest, Wardrobe this xiiijth of February, 1599.⁵

Yo' Loving Brother,

THO: FORTESCUE.

¹ Calendar of State Papers, Green, 1611-1618.

² Lysons' Environs of London, iv. p. 326.

³ Brit. Mus. Harl. MS. 4712, f. 309.

⁴ See the Will of Thomas Fortescue in the Appendix.

⁵ Pat. Rolls, Elizabeth.

SIR ANTHONY FORTESCUE.

Anthony, third and youngest son of Sir Adrian Fortescue, was born between the years 1535 and 1539; he was educated at Winchester School, where he is named among the scholars who wrote verses in honour of Edward VI. upon the young King's visit there. They have been preserved with the rest of the poetry of the occasion, and are as follows:—

Carmen in honorem Edw^d. VI.¹

Gratulor adventum tibi Rex possum nihil ultra
Materia vires exsuperante meas.
Non igitur longis verborum ambagibus utar,
Hoc tantum possum dicere gratus ades.

ANTONIUS FORTESCUUS.

His tutor at Winchester was one Mr. Ford, who afterwards, in Mary's reign, was by his means appointed to the living of Newbury in Berks, although much inclined to favour the doctrines of the Reformation, "whereas Fortescue was rather his scholar in humanity than his follower in religion."²

He married, about the year 1558, Katherine, daughter of Sir Geoffrey Pole of Lordington, second son, by Sir Richard Pole, of Margaret Plantagenet Countess of Salisbury, daughter of George Duke of Clarence, and finally heiress of the Plantagenets. He was made comptroller of the household to his wife's uncle, Cardinal Reginald Pole,³ and was in much favour during the reign of Queen Mary, by whom he was knighted.⁴

Upon the accession of Elizabeth, however, and the consequent ruin of the hopes of the Pope's adherents, he was much displeased, and was so foolish as to practise with conjurers to find out how long the Queen should live; for which he was committed to prison; and for this and other indiscretions orders were given to Bonner, Bishop of London, to prosecute Fortescue, and those concerned with him, in the Ecclesiastical Court. Not warned by this danger, however, he soon after joined with the Poles in the conspiracy against Elizabeth. "In 1561," says Rapin, "the Queen discovered that Arthur Pole and his brother Edward, with Sir Anthony Fortescue, who had married their sister, began to form a party in the kingdom. Upon this intelligence they were sent to prison on a charge of a great and dangerous conspiracy which had been discovered in October, but was resolved not to be meddled with until Parliament sat."⁵

¹ Catalogues Cod. MS. Oxford, by Coxe, 1852, New College.

² Strype's Memorials, Mary, vol. iii. part i. p. 277.

⁴ Biographia Brit., iii. p. 2003.

³ Strype's Annals, vol. i. part i. p. 10.

⁵ Rapin, vol. ii. book 17.

The details of the plot are given in the Bill of Indictment,¹ in which were included, besides the two Poles and Anthony Fortescue, three subordinates, namely, John Prestall, Humfrey Barwycke, and Edwarde Cofyn, with one more, whose name is not given. They are charged as false traitors and rebels, with compassing not only to depose the Queen, but also her death and destruction, and to set up the Scottish Queen Mary as Queen of the realm.

Their plans were to go into Flanders, and there to proclaim Arthur Pole to be Duke of Clarence; thence to pass into France, and to treat with the Duke of Guise for marriage between the Queen of Scots and Edmund Pole (Arthur being already married); and for a force of 5000 men to land in Wales, and proclaim Mary as Queen.

They were to solicit through Goldewell, Bishop of St. Asaph, then at Rome, the help of the Pope, promising in return to restore his religion in England.

It is found in the indictment, "that Prestall and Cofyn did invoke a wicked spryte, and demanded of him the best way to bring all their treasons to pass; that Anthony Fortescue did open unto the French and Spanish ambassadors the said traitorous devices by the consent of Arthur Pole, requesting them to hand letters to the French king and the Duke of Guise," praying for their aid.

"That the said Anthony Fortescue did hire a boat to be brought unto St. Olave's Stairs nigh unto London Bridge, to convey the same Anthony Fortescue, Arthur Pole, and the other conspirators to a Flemish hoye being upon the river Thames six miles beyond Gravesend, to the intent to transport them into Flanders, and that they laid into the said boat divers armures, and certain munition for war, and sums of money, and other things necessary for their said journey; and also remained in a certain inn called the Dolphyn for opportunity to be conveyed to the said hoy."

Strype says that the plot was fomented and managed by the French and Spanish ambassadors; and Cecil asserted at the time that De Quadra, the representative of Spain, had encouraged Pole and Fortescue; to which the ambassador replied, "that he had nothing to do with them or their follies."²

A good contemporary account of the transaction is contained in some correspondence published in Wright's "Queen Elizabeth and her Times." Sir William Cecil writes to Sir Thomas Smith, January 14, 1562:—

"The Pooles and Fortescugh shall be arayned this terme;" and again, on the 27th of the next month (February): "Yesterday wer condemned two Pooles, Fortescugh; one Spencer, and Byngham, servants to the Lord Hastings of Loughborow, and one Barwyk. Fortescugh confessed all, and so was attainted."³

¹ Strype, *Annals of Elizabeth*, vol. i. part i. p. 555.

² Froude's *England*, vol. vii. p. 427.

³ Wright's *Elizabeth*, vol. i. pp. 127, 129.

On the same day, Sir John Mason writes to Sir Thomas Challoner (at that time ambassador in Spain): "Yesterday the elder of the Poolls and the second son, with Anthony Fortescue, and four others were arraigned at [Westminster] Hall, and were there charged that they meant to go into France, and to use the aid of the Duke of Guise for the making levy of six thousand men, to carry the same in May next coming into Wales; and then proclaiming the Scottish Queene, Queen of England, and Arthur Pole, Duke of Clarence, to do their best to bring the Scottish Queen to the Crown; of which matter they were openly convicted."

Their only defence was that they meant to attempt nothing in the Queen's lifetime, who by conjuration they had found should not live passing "the next spring." The rest of the matter was not denied; and Fortescue confessed the whole without trial.

Elizabeth, with much clemency, spared their lives, moved in Fortescue's case to this lenient course by her esteem for his brother Sir John,¹ who interceded in his behalf; but kept them prisoners in the Tower, where the two Poles remained until their deaths. Fortescue, after some considerable time, we do not know how long, was released.

In the year 1796,² when some alterations were being made in the Beauchamp Tower, the following traces of these unhappy prisoners were found scratched on the walls of the room, apparently with a sharp piece of iron:—

I. H. S.

A passage perillus makethe a Port pleasaunt.

A° 1568. Arthur Poole Æ. suæ 37.

In another place:—

Deo fervire
Penitentiam inire
Fatoque obedire
Regnare est.

A Poole. 1564.

I. H. S.

Also by Edmund Poole, thus:—

I. H. S.

Dio femin in lachrimis in exultatione meter.

Æ. 21. E. Poole 1562.

Æ. 27. E. P. A°. 1568.

¹ Biog. Brit. iii. 2002.

² Archæologia, vol. xiii. p. 74.

In the register of the Tower Chapel, from 1565 to 1578, is found :—

M^r. Arthur Poole buried in the Chappel.

M^r. Arthur Poole's brother buried in the Chappel.

These are sad and short records of long years of misery.

I find little more to narrate of Sir Anthony; he was alive in the year 1611 when his brother Thomas died, being mentioned in the will of the latter, dated May 10, 1608, in these words :—"Item my wille and mynde is all such plate, household stufte, and bookes as are belonginge unto Anthony Fortescue my brother, be safely kept, and delivered to the use of my said brother."¹

Although this language would apply to Sir Anthony, if he were from any cause in a foreign country, it rather favours the supposition that he was exiled from England for his life.

His children² were Anthony, who lived at Lordington in Suffex, married to a daughter of the brother of Overton, Bishop of Coventry; John, married to Ellen, daughter of Ralph Henslow, of Barrald in Hampshire; and George, born in 1554, and died in 1634, unmarried. The latter received James I. at his country house, on which occasion knighthoods were conferred by the King as before mentioned.³

The only issue of the aforefaid Anthony known to us, is a son, also Anthony, who, in the reign of Charles I., was appointed by Charles, Duke of Lorraine his Resident at the English Court. He acted in that capacity for several years, until 1644, when we find him receiving an order from the House of Commons, requiring him to quit the kingdom within ten days; and one from the House of Peers, desiring him "to depart out of the Parliament's quarters" within the same period. He protested against these orders as too sudden and severe "to be sent unto me the public minister of a foreign Prince," but without much effect; for his goods and papers were seized by the order of the House of Commons, and his secretary and cousin, George Fortescue, was imprisoned for sixteen weeks.

On the 16th of October, 1644, the Commons ordered his goods and papers to be restored, and George Fortescue to be released; the Resident to quit the kingdom in twenty days.

The cause alleged in the orders for this severity was the inconvenience of an Englishman acting for a foreign prince; but as he had been allowed to remain for many years, we must assign as the real reason the disposition of the Duke of Lorraine to favour the King's cause

¹ Will in Doctors' Commons, proved June 2, 1611. See the Appendix.

² Pedigree in Harl. MSS. 5871; and a Pedigree belonging to Earl Fortescue.

³ There is an examination, taken in 1585, of Anthony Fortescue before Richard Lewkenor, Justice of the Peace for Suffex, on suspicion of having assisted Philip Earl of Arundel, eldest son of the Duke of Norfolk, to quit the kingdom. See the General Appendix. For George Fortescue, see his epitaph in the Appendix to this chapter.

againſt that of the Parliament, knowing that a few years later he was found to be in treaty with Queen Henrietta to ſave Charles, her husband's, life.

Anthony Fortescue was alive in 1659, when his couſin George, before named, made his will, in which his name is mentioned.

As the papers and letters relating to the diſmiſſal of the Lorraine Reſident have never, ſo far as I am aware, been printed, they are given here.

*Papers relating to Anthony Fortescue Reſident for the Duke of Lorraine.*¹

Die Mercurii 16^o Octo: 1644.

It is this day ordered by the Commons Houſe of Parliament, that M^r. Anthony Fortescue ſhall have the Goods and papers reſtored unto him, that hath beene taken from him, by any Committee, or any Authorized by any Committee, and that George Fortescue his ſervant bee diſcharged from reſtrainte & reſtored unto him; And hee is hereby enjoined to quitt the Kingdome, within theſe 20 dayes att furtheſt.

That the Duke of Lorraine having ſhewed all frendſhip Noblenes & Curteſie to the Engliſh nation hath written twice ſeverally to either Houſe touching Anthony Fortescue Eſquire his reſident here and that theire Lo^{ps}. thinke it moſt Juſt & reaſonable to returne his Highnes an anſwere to which end they have p^rpared the ſame according to that which they conceive to have beene the ſence of both houſes formerly.

That beſides thoſe civilities ever expreſſed by the Parliament of England and the Nation alſoe to forraigne Princes, which requires them to ſend an anſwere to the ſaid two Severall Letters ſent to them from this Prince, there is likewise now falen out an neceſſity of writing to him in reſpect that the ſaid M^r. Fortescue dares not returne over to the ſaid duke till he recall him, and though he hath written to his ſaid Maſter for his leave to returne unto him, yet he hath comāded him to continue here till he may receive an anſwere of his former Letters ſent to the Two houſes of Parliament, and thereby underſtand that it is theire deſire that he ſhould recall backe the ſaid M^r. Fortescue.

That the ſaid Duke of Lorraine ſent over hither with his firſt Letters, one Mounſieur Talart a gentleman of Lorraine who hath ſtaied here neere upon ſix moenths expecting an anſwere, for which he doth now earneſtly preſſe being to returne to the ſaid Prince his Sovereigne Lord & Maſter.

Their Lo^{ps}. deſire therefore is, that the houſe of Commons would concurre with them in ſending this Letter in anſwere to both the duke of Lorraines and that the ſame may be ſubſcribed or ſigned by the Speaker *pro tempore* of the Houſe of Peeres, and the Speaker of the Houſe of Commons, And that the goods that have been taken from the ſaid M^r. Fortescue may at laſt be reſtored to him according to the orders of both houſes of Parliament long ſince made.

MY LORD,

I received two ſeverall Orders from the Hono^{ble}. Houſes of Parliament, firſt from the houſe of Co^mons an Order was brought mee by a Sarjant at armes to depart the Realme within ten dayes, the next day I received from the Houſe of Peeres an other to departe out of the Parlam^{ts}. quarters,

¹ From Harl. MS. 160, Brit. Mus.

within ten dayes, both Orders, as I conceive, too severe to bee sent vnto mee, a publique Minister of a forrayne Prince, whose servant can no way dispose of him selfe, or leave the station where his Master comāded him to stand: Yet since these Orders proceeded from a Power unrefistable by mee (otherwise then by my will) I chose rather of the two to embrace the Banishment where I should find protection of a gracious Master, then to cast myselfe into such partes of the Realme where I can have no subsistence; And since I can not possibly goe into those partes without perishing, nor out of the Realme (with any concurrence of myne) Yet if the hono^{ble}. houses insist upon my Banishment, (which is a thing unhard of) my humble request is that I may have my goods restored mee, and that I may bee soe sent out as I may not falle into the handes of my Masters Enemyes w^{ch} now ly upon the Seaes, and as I heare, expect mee.

But if the resolution of the Hono^{ble}. houses bee altered (as I hope it is) and that I shall bee permitted to stay, my request is (and this I aske in my Masters name) that some publique acte may passe from both houses whereby the scandall of my Banishment (soe much divulged) may be taken away, and I remayne heere in security from such affronts as have bin formerly offered mee. And thus expecting the resolve of the Hono^{ble}. houses to this iust demand of myne, I rest

Your Lordships

Most humble Servant,

ANT: FORTESCUE,

Resident for his Highnesse of Lorraine.

Anthony Fortescue to Sir Simons D'Ewes.¹

* * * and if with in the space allowed by the sayd tearme given mee, I shall not heere from the . . . then I will depart into the King's quarters that my stay heere may not give the Parliament any farther distast. The capitall exception against mee, as I understand, is that I am an English man, if a forrayne Prince shall grace our Nation in preferring it before his owne shall it bee maligned by my owne Country? A hard case and much to the dishonour of the English Nation, and I hope in that high Councell of Parliament that argument shall clayme noe force.

Withall I humbly request them that the losses and charges I have bin at, both by my two servants imprisonment, the one remaying in prision 16 weekes the other brought most wrongfully to the publique disgrace to hold up his hand at the barr, may be repayed unto mee, of which Justice I very much confide. And I shall in the psecution of your noble respectes towards his Highnesse my master bee ever most ambitious in the expression of

Yo^r most humble & obliged servant,

ANTHONY FORTESCUE.

To my much Hon^{ed}. frend Sir Symons Dewes K^t.
of the Hono^{ble}. howse of Co^mons.

Received Oct. 24, Thursd' 1644.

A fragment of a seal of red wax remains attached, bearing, on a shield, a bend engrailed, between two bendlets.

¹ The beginning of this letter is damaged.

Anthony Fortescue to Sir Simons D'Ewes.

SIR,

I am in hope that to morrow the Lords will fend the 3rd time unto your Honorable howse for a dispatch in my businesse by their concurring w^t the Order which theyr Lordships have made ; These are therfore earnestly to beseech you that you will move in my businesse when it shall come into your howse and that you will make the Hono^{ble}. Howse as sensible of the delay in this point as I perceive y^r selfe are, who I must needes say have shewed mee more noble favours then I can meritt ; only I must hope the Duke my Master will take such notice of your noble respect to him in my poore person, that for your sake alone, hee will forbear to take offence of the remissenesse of y^r Hon^{ble}. howse to doe his Highnesse right by reparations made unto my selfe his publicke minister. And I presume my patience in not writing to his Highnesse the least complaynt as yet will bee one motive to the Hono^{ble}. howse to dispatch my businesse the sooner, Else I must of necessity informe his Highnesse what hath past, which yet I must needes blush to write beeing an English man as I am Sure your noble selfe hath done to see soe high affronts vnto soe greate a Prince passe soe longe unpunished, and mee soe long neglected after y^e Lords notice given unto y^r Hono^{ble}. howse of these abuses, to have my goods seazed, my man imprisoned, and my howse still guarded. Whome yet theyr honors have avowed to bee a publicke minister to a Soverayne Prince. Sir in brieve as you are the only that have exprest your deepe sense heerof soe I must rely only upon you to procure a dispatch in the businesse as well for the honor of your howse, and our nation indeed as for respect vnto Sir,

Your thrise humble Servant,

ANTHONY FORTESCUE,

Resident for his Highnesse the Duke of Lorraine.

Addressed:—“ To his noble friend S^r. Simons
D'ueys Knight, a member of the
Hono^{ble}. howse of Commons.
thes present.”

A Tres hault et Tres puissant Prince Charles par la grace de Dieu Duc de Lorraine &c. A Bruxelles.

TRES HAUT ET TRES PUISSANT PRINCE.

Les Paires et com̄uns du Parlement d'Angleterre assambles a Westminster ayans recu diverses lettres de vostre Alteſſe par lesquelles elle declare d'avoir commis le sieur Anthoine Fortescue son Resident aupres sa ma^{te}. de la grande Bretagne et quelle desire le dit sieur de Fortescue estre continue dans le mesme Employ : les Paires et Communs nous ont commande de remercier in premier chef tres affectionnement vostre Alteſſe de l'honneur quelle leur a faiçt puis vous assurer quils seront tous prompts de conceder a tel ministre publique quy fera Envoie de la part de vostre Alteſſe les mesmes Libertes et privileges dont jouissent ceux des autres Princes, pourveu quil ne soit subjeçt de ce Royaume comme est le sieur de Fortescue, lequel ils desirent estre Employe de vostre Alteſſe en quelque autre endroit Estant com̄e subjeçt de sa Ma^{te}. incapable d'estre receu et traicte de Resident et ministre publique d'un Prince Estranger, Nous ſomes

De Vostre Alteſſe Tres humbles serviteurs.

De Westminster, ce 12^e. April 1645.

MESSIEURS,

Ayant appris que vous desirez avoir pour mon Resident en Angletterre quelque qui ne soit du d'pays et q'un autre de mes sujets ou autre Nation que je pourrois cy apres y envoyer vous seroit plus agreable J'ay bien voulu vous donner parole que Lors qu'y envoiray un autre Resident, ce Sera de mes Sujets ou d'autre Pays que d'Angletterre.

Cependant Je vous prie de bien traiter Le Sr. de Fortescue mon Resident en Angletterre establi dans cett charge de puis plusieurs annees, le laissant jouir et user des privileges doubs a sa qualite, a ma consideration et ordonnant que la Sentence donnee pour la restitution de ce qui luy a ete pris, soit mise en execution, C'est ce que j'espere de vostre justice, sur l'assurance que je vous baille que mon dit Resident ne fera rien qui puisse vous prejudicier, Et que Je demeure

Messieurs Vostre affectionne a vous servir,

CH. LORRAINE.

De Bruxelles le 4^e May 1645.

Of the second son of Sir Anthony, John Fortescue, styled "of Lordington," the seat of his grandfather Sir Geoffrey Pole, and of his wife Ellen, the following incident relating to the Gunpowder Plot is preserved in a manuscript at Ushaw College, Durham.

Relatio quorundam Catholicorum de Patre Gerardo Jesuita.

"Narrationem hanc sequentem Nos infra scripti accepimus a Viro quodam Catholico et fide digno qui illam nobis narravit partim ex ore perillustri D. Dñi Joannis Fortescue, partim ex ore conjugis ejus Dñæ Helenæ Fortescue, qui Audomari diem suum sancte obiit. Pater Joannes Gerardus Societatis Jesu Sacerdos venit ad domum dicti Domini Joannis Fortescue quæ sita erat prope monasterium olim Sⁱ Dominici, Londini, vulgò, Black-Fryers, et opportunitatem nactus dum Dñus Fortescue abesset, instanter petiit a Dñâ Fortescue ut cubiculum aliquod haberet domi suæ. At illa, semper mihi gratus est adventus tuus: at ille respondit se velle cubiculum privatum ubi aliqui illum convenirent qui cum illo videri libenter nollent. Illa prudens quidem fœmina non bene digerebat illa verba scilicet quosdam illum frequentaturos qui cum illo libenter videri nollent, petiit itaque ab illo quinam illi essent. Respondit ille viros esse præstantes, generosos, atque Catholicos, adhuc vero illâ urgente quinam essent nominavit Catsbeum, Perfeum, Vintorum, Digbeum et plures alios conjurationis pulverariæ conscios, nec præter conjuratores nominavit quemquam. Tum Dñâ Fortescue, quosdam, inquit, ex illis aliquantulum novi, ut Catsbeum, Vintorum. Catsbeum, inquit, nunquam probavi nec mores ejus, cum sit vitæ admodum laxæ: quare petiit a patre Gerardo ut ignosceret illi quod in absentia mariti sui denegaret accessum horum virorum ad domum suam. Hoc responso accepto abiit Pater Gerardus, descenditque in domum in vicinio positam Domini Doret, ubi tota familia aberat muliere tantum exceptâ quæ domûs curam gerebat: cum hac egit et obtinuit Pater Gerardus ut viri illi Nobiles prius nominati, cæterique conjurationis pulverariæ participes privatim illum convenirent in illa domo, quod postea publice probatum est, etiam testibus ipsis pincernis Taberniæ adjacentis qui illos omnes quotidie ingredienti et egredientes

confpexerant. At patefacta postmodum conjuratione et Patre Gerardo nominatim publicis per totum Regnum edictis proscripto, Pater Gerardus suppositiâ barbâ et capillamento conficto domum Dñi Fortescue adit et de improvîso absque ullâ prævia notitia petit a Dño Fortescue ut in domum suam illum reciperet quod plane nesciret ubi absconderet caput suum : quem intuens Dnus Fortescue plenus dolore ait, Neminem habes quem perdas præter me et meam familiam."

TRANSLATION OF THE FOREGOING.

A Statement of certain Catholics concerning Father Gerard a Jesuit.

We whose names are hereto subscribed have received from a Catholic worthy of credit the following statement, taken partly from the lips of the very illustrious Mr. John Fortescue and partly from those of his wife Mistress Ellen Fortescue, who both died in sanctity at St. Omer.

Father John Gerard, a priest of the Society of Jesus, came to the house of the aforesaid Mr. John Fortescue in London, near the old Dominican monastery, commonly called Black-Friars, and having found an opportunity during the absence of Mr. Fortescue, intreated Mrs. Fortescue to grant him a lodging in her house ; to which she replied that she should always be glad to welcome him there. He, however, answered that he wanted a private lodging, where some persons who did not wish to be seen in his company could meet him unobserved. She, being a prudent woman, did not relish this mention of persons likely to come there who did not wish their visits to be known, and asked him who they were. Gerard replied that they were excellent men, of noble birth, and Catholics ; and at last, upon her pressing him to say who they were, named Catesby, Percy, Winter, Digby, and several more, all without exception implicated in the Gunpowder Plot.

Upon this Mrs. Fortescue said that she knew some of them slightly, namely, Catesby and Winter, and that as to Catesby she disapproved of his habits and loose way of life, and therefore requested Father Gerard to excuse her if she declined in her husband's absence to admit them into her house.

Father Gerard receiving this answer, proceeded to a house in the neighbourhood belonging to Mr. Doret, when all the family were absent, except a woman who was in charge of the house. From her he asked and obtained leave for the noble persons above named and others concerned in the Gunpowder Plot to meet him secretly there ; a fact afterwards proved on the evidence of the servants of a neighbouring tavern who saw them passing in and out daily.

Nevertheless, after the discovery of the plot, and when Father Gerard had been publicly denounced all over the kingdom, he suddenly appeared at Mr. Fortescue's house, disguised by a false beard and hair, and asked him to take him in, as he knew not where to hide his head. Mr. Fortescue, much grieved, looked at him and said, "Have you no one to ruin but me and my family?"

The letter here given, addressed to Robert Devereux, the unfortunate Earl of Essex, by John Fortescue, shows that several years before the great plot he was already suspected of harbouring the Jesuits :—

*John Fortescue to the Earl of Essex.*¹

Right honorable and my singuler good Lo. as I have many tymes and in many persons, admired yo^r noble nature and clement disposition so nowe must my poor self maeke happie triall, an unknowen man to yo^r honor and unto whome I had never cause to devote any of my poore services, Yet nowe Right noble Erle fuche are my extremities as wthout some honorable regarde, my poore and loyall minde to her Mati and the staete might haply be called in some doughtfull question, And now I most humbly besiche yo^r Lop: thus far to conceive of me herin y^t I crave no favor ether of her Mati or of any peere wthin this Realme yf any unnaturall or disloyall fact can be proved against me ether in harboringe maintainege or abettinge ether prift or Jesuit, and forbidden by her highnes lawes. And in this ferche at my howse (my self beinge in the Countrey) There was nothinge founde wthin my commande in all my howse, but fuche things as my lewde and wretched butler had locked in a deske of his wthin that office so farr from my knolledge (on my Salvation) as is heven from yerthe And nothinge Right honorable can torment me more, then that her Mati should think me so undutifull in whose service I have bine imployd thes 21 yers, and never yet tutched wth any blott of fuche disorder, and not lickly I would bereve my self of that benefytt w^{ch} hathe maintained my self my wyfe and children thes many yeres, And in w^{ch} spaece yf I have retayned my consciens at all, her Mati: hathe bine no looser by yt, nor my self God knowith any greate gainer, And thus deere Erle way my cause as yt is and lend me no more but yo^r honorable and indifferent censure and I desire no more, a treasure I think yo^r ho: never refused to graunt to any gentillman, yf some great cause wth stoode yow not, And I would to God her Mati might understand that I have a farr greater desire to Joyne unto her highnes loyall and fervifable harts then to suffer my owne to perish in his dewty, pardon my good Lo: this excedinge bouldnes yt is my trobled and passionet mind w^{ch} enforced me herunto, And thus longe may yo^r lop live, greater still yo^r honor, yf greater yt may be, And in all humillity I taeke my leve This 8 of Marche 1597.

Yo^r honorable lopps most bounde in all dewty

JOHN FORTESCUE.

To the Right honorable the Erle of Essex
Lo. Martiall of England et cet. and one
of her Mats most honorable previe
councill.

¹ The original letter is in the Hatfield Collection of MSS.

John Fortescue had issue a daughter Elizabeth, married about 1600, to Sir John Beaumont of Grace Dieu in Leicestershire, created a baronet in 1626, and died in 1628, leaving Sir John his son and heir, born in 1607, and another son Sir Thomas Beaumont,¹ and three daughters; he left also one son George, an author of some repute in his day, who wrote in Latin with much elegance. George Fortescue was educated at Rome, but appears while still young to have spent some time in the College at Douay. His principal work was a small volume of Essays on various subjects, written in Latin, dated "Londini Calend. Febr. M.DC.XXX.," but printed at Douay in that year, entitled "*Feriæ Academicæ*."

His other writings which have been printed appear to be poetical; one, which I have not seen, is entitled, "The Soul's Pilgrimage to Heavenly Hierusalem,"² published in 1650, 4to.

He wrote, according to the fashion of the time, commendatory verses upon the works of his friends, which are printed with the works; namely, on the Poems of Sir John Beaumont, who was his brother-in-law; on Sir Thomas Hawkins's "Translation of the Odes of Horace," 1625; on River's "Devout Rhapsodies," 1648.³

He has also verses in "The Tongues Virtuis," a work of which I know nothing.

The full title of "*Feriæ Academicæ*" is: "*Feriæ Academicæ. Auctore Georgio de Forti Scuto Nobili Anglo. Duaci, Ex Officinâ Marci Wyon, sub signo Phœnicis. M.DC.XXX. ἡ τὰν ἡ ἐπὶ τὰς.*"

It is dedicated *Florentissimis Academicis Romanis*, and especially to Cardinal Barberini, the Director of the Roman Academy; and has an eulogy prefixed by Matthew Kellison, said to be Principal of the College at Douay. It is in one volume, 12mo. The work is described in the "Delights and Monuments of Nathaniel Bacon."⁴ This was Sir Nathaniel Bacon, Knight of the Bath, an eminent painter, half-brother to the Chancellor Francis Bacon, whom Fortescue, in his essay entitled "*Deliciæ Baconi Brumenfes*," celebrating the gardens and paintings at Broome, in Suffolk, where Bacon lived and painted, addresses as *Nobilissime, Ingeniosissime, Amicissime Nathaniel*;⁵ and by whom he is styled in return, *Ornatissime Fortescue*. In "Collectanea Hunteriana" it is suggested that "it was probably his Catholic learning which recommended him to Bolton to be placed in his original list of the members of the Academe Royal." He was also eminently Roman Catholic by descent, through his relationship to the Poles, which is alluded to by Kellison in his eulogy prefixed to the *Feriæ*, as follows:—

Eulogium desumptum ex quadam ejus epistola.

Quod vero attinet ad Ferias Academicas Perillustris Domini D. Georgii Fortescu; quarum manuscriptum exemplar mihi nuper ostendisti, ejusmodi fanè sunt, ut miram ingenii

¹ Will of George Fortescue, 1659.

² Fly-leaf note in my copy of *Feriæ Academicæ*.

³ Nichols's Leicestershire, vol. iii. part ii. p. 656; *Collectanea Hunteriana*, Add. MS., 24,489, fol. 13, in Brit. Mus.; *Gent. Magazine*, xxviii. p. 382, 1847.

⁴ *Collectanea Hunteriana*.

⁵ *Feriæ Academicæ*, pp. 19, 26.

suavitatem, egregiam orationis vim, multiplicem denique cognitionem in Authore testetur. Scripsit quidam de Reginaldo Polo in hæc verba :

"Cum eloquentiæ et philosophiæ pari studio flagrauerit, in utra tamen magis enituerit, non facile est existimare : illud certè constat qui vel meliora vel ornatiora scriberet, hac hominum memoria extitisse neminem."

Quid est cur idem non possit de hujus operis authore dici? Mihi certè videtur Polum ut sanguinis, ita styli propinquitate contingere.

The book is described in the "Gentleman's Magazine" for 1847, in an article signed J. M. (J. Mitford). Mitford had only seen one copy, belonging to Mr. Roger Wilbraham, and considers it very rare. I have, however, frequently met with it in bookfellers' catalogues.

Those who desire more information about the "Feriæ Academicæ," are referred to the article in the "Gentleman's Magazine."

These lines will show the style of Fortescue's laudatory verses (prefixed to Sir John Beaumont's Poems):—

When lines are drawn greater than Nature, art
Commands the object and the eye to part,
Bids them to keep at distance, know their place,
When to receive, and when to give their grace ;
I am too near thee, Beaumont, to define
Which of those lineaments is most divine,
And to stand farther off from thee, I choose
In silence rather to applaud thy muse
And lose my censure; 'tis enough for me
To joy my pen was taught to move by thee.¹

Prefixed to Sir Thomas Hawkins's Translation of the Odes of Horace:—

To his worthie Friend S^r. T. H. Knight, upon his Translation.²

While to thy time the Lyrick Poet sings,
And takes new graces from thy tuned strings ;
Behold whole Quires of Muses ready stand,
To beg like favour at thy curious hand.
Who would not joine with them, and move the fame,
That sees this One so happie in thy Name?

¹ Nichols's Leicestershire, vol. iii. part ii. p. 656.

² From Hawkins's Odes of Horace, London, by A. M. for William Lee, 1625.

We whom the Romans held for dull and weake,
 Now teach their best of Poets how to speake.
 They need not lay to thee the want of skill,
 Of Musick, or of Muses, hee that will
 May hear them both exprest by thee in vaines
 Equall, if not beyond the Roman straines.

GEORGE FORTESCUE.

*To his honoured friend Mr. Rivers upon his holy Rhapsodies.*¹

Who's this who like the rosy-fingered morne,
 Is thus from mountaine unto mountaine borne;
 Whose mystic locks charged with the drops of nights,
 On us below hurl beames enriched with lights?
 Is it that soul which having Jordan past,
 Pure Jordan, made such an ambitious haft
 To pass like Israel through the bloody maine,
 In hope another Baptisme to obtaine?
 It is the same whose Rhapsodies unfold
 Sweet Raptures, Raptures which in cups of gold
 To us Celestial Constellations hold.
 Would all thus poetize who would refuse
 To celebrate the strains of such a Muse?

GEORGE FORTESCUE.

My readers will not desire further specimens of this high-flown flattery.

He was secretary to his cousin, the Resident for the Duke of Lorraine, at the time of his dismissal by the Houses of Parliament, and was arrested, and after an imprisonment of sixteen weeks, as before mentioned, was ordered to quit the kingdom with his principal.

Several letters² written in Latin by George Fortescue to men of literary note are preserved in manuscript by the "Roman Catholic Dean and Chapter of the Midland District," as also their letters to him. Among his correspondents are Cardinal Francesco Barberini, nephew of Pope Urban VIII., Famiano Strada, the historian of the Spanish wars in Flanders, Thomas Farnaby, a learned critic and grammarian, and Gregory Panzani, who was sent by Urban VIII. to England on a mission to the Roman Catholics, of which he has left an account.

¹ See *Devout Rhapsodies*, by J. A. Rivers, London, 1647. This work is in the British Museum, in a volume lettered "Collection of Pamphlets," 1647.

² Copies of these letters have been supplied to me by the kindness of the Rev. T. Orlebar Payne.

There is little, thus far, in the letters to interest readers of the present day, but he also corresponded with the celebrated Galileo, and a letter from him to Fortescue has been preserved, written in February, 1630, the year in which he finished his great work on the Ptolemaic and Copernican systems, which, being condemned by the Inquisition, led to his being imprisoned, although not always strictly, for the rest of his life.

I here translate a portion, and the whole follows in the original Latin. Fortescue had evidently written to Galileo to announce the speedy appearance of his "*Feriæ*," and had told him that in some of its chapters mention was made of the name and researches of the great astronomer, who now replies in a long letter, the greater part consisting of elaborate thanks and compliments. It ends thus:—"When the printers have finished their task, and have completed the edition of your book, pray send me one or two copies as soon as you can, for you have marvellously excited my longing for it.

"If you ask what I am about, I answer that I am engaged upon a very difficult work. The Great System of the Universe of which I have been in labour for thirty years, has at length come to the birth. Imagine how I am worn out by the pains of bringing forth! I trust, however, that with the help, not of Lucina, but of the great author of light (*Lucis*) and truth, I shall have a happy delivery. In this work I investigate the very obscure causes of the Tides, which down to the present day have occasioned more commotion in the minds of the Learned than in the sea itself. And, unless my self-love deceives me, I have succeeded in explaining them. If, therefore, you have established any fact not yet generally known about these periodical movements of the waters, I will ask you, if you do not shrink from the trouble, to let me have an account of it. In like manner, if you should see in my writings anything treating upon your subject, and will give me but a hint of your wish for information, I shall not grudge the pains of complying with it. Farewell.

"Florence, February 10, 1630."

Eruditissimo Viro Georgio de Forti Scuto Galileus de Galileis. S. D.

Novum profectò et humanissimum beneficentiæ genus est meticolosè ac verecundanter magna offerre beneficia, et tum cum maximè benefacias, ipsam dissimulare beneficentiam. Tu culpam in eo vereris in quo insignem meritis es gratiam, et amoris ac gratitudinis loco veniam postulas. At ego indignus hac tua tam prolixa benignitate viderer, et tunc ab ea forem, cui me asseris, immortalitate abhorrens, nisi hoc præclarum esse beneficium agnoscerem obliquo insuper tuæ verecundiæ munere geminatum. Nimirum intelligebas quantum onus imponeres infirmis hisce meis viribus, si palam atque aperte in meum sinum profusam istam munificentiam congestisses; visum est igitur eam modestiæ velo obnubere atque adumbrare, ut meo pudori consuleres cum acciperem, et meam tenuitatem sublevares, si de referenda gratia cogitarem. Sed neutrum oportuit; nam ego et naviter impudens forem nisi nunc

quoque rubore suffunderer, et plus nimio ineptus, si hanc tibi reponere gratiam meditarer. Cum meum nomen tuis inferis scriptis, et me inter eximios viros colloquentem inducis, illustras me ingenii tui monumentis (ut auguror) sempiternis; nunc ego si velim tecum paria facere, et te vicissim meo testimonio cohonestare ridiculus essem, quippe qui Phæbo facem præferrem et tibi ingentes thesauros funditanti exiguam stipem erogarem. Adde quod nihil jam nisi de tuo tibi elargirer, nam quantulus quantulus sum, totus in ære tuo, atque adeo ex ore tuo jam sum. Tu me collocupletas, et meas non nimis amplas ingenii facultates tua largitate honorificis exauges incrementis: ego nomine tenuis, tu nomine et re mihi consulis: ego tuæ scriptioni, tu meæ laudi fervis: ego tibi inane nomen accommodo, tu mihi illud solidæ gloriæ plenum reddis: ego denique imaginaria adoptione in tuum librum velut in tuum liberum me adscisci sino; tu me in tuæ gloriæ veram et opulentam hæreditatem vocas. Sed, ne illud quidem diffitebor, me appositè Cephæum a te nuncupari modo tu quoque non abnuas te mihi Perseum esse; vide enim quam congruè habes Palladis clypeum quod tibi non solum cognomen de Forti Scuto, sed doctrinæ soliditas multo magis præstat: habes quoque Mercurii pennas, idest volucris ingenii dexteritatem his tu instructus meam mihi Andromeden, hoc est famam, à livoris monstro edacisque temporis injuriis tutam fervas; et tam illa quam ego (ut olim in fabulis Andromede et Cephæus a Perseo) tuis pennis elati, tuaque opera subvecti in cælo locamur, et inter astra conspiciamur immortales. Me vero non magnopere ea cura sollicitat, quomodo tibi vicem rependam tibi enim satis hac ratione fieri arbitror, si palam (ut facio) tester te mihi sydereum hoc lucis coronamentum imposuisse, tuoque solerti ingenio effectum esse ut vivens posthuma gloria fruerer, et antequam terris decederem adscriberer cælo.

Cum Typographi suam operam absolverint, tuique libri editionem perfecerint, unum vel alterum exemplar ad nos primo quoque tempore perferendum cures: nostram enim mirifice incendiisti cupiditatem. Ego (si quæris) arduum opus molior. Magnum mundi systema, quod trigefimum jam annum parturiebam, nunc tandem pario. Modo cogita quibus inter enitendum doloribus conficiar; sed confido tamen (si, non dicam Lucina, sed si lucis et veritatis Auctor opem ferat) partum feliciter processurum. In hoc opere abditissimas maris æstuum causas quibus ad hæc usque tempora Philosophorum ingenia sævius ipso mari æstuant, inquiri, et nisi mei me fallit amor, mirabiliter pando; proinde si quid habes circa hæc alternas æquoris agitationes diligenti nec divulgata observatione notatum ad me perscribere ne graveris. Ego pariter si quid in manu mea, et è re tua esse videris (levi nutu significes) statim exequi non gravabor.

Vale Florentiæ. x. Feb. 1630.¹

There is a letter from George Fortescue to Cardinal Barberini, where he styles himself

¹ I am assured by the Rev. T. O. Payne that this letter has never before been printed. Galileo died in 1642, aged 78.

ambassador of the Duke of Lorraine to Pope Urban, "Orator serenissimi Ducis Lotharingiæ apud S: S^{mm}. nostrum Urbanum viii."

He made his will, which is extant, on the 17th of July, 1659, desiring to be buried, if he should die in London, "at the entrance of St. Andrew's Church-yard in Holborn, in as positive and plain a manner as may be." He mentions his nephews, Sir Alexander Hamilton, Sir Thomas Beaumont, Francis Bodingsfield, and John Tasbourne, and his cousin, Anthony Fortescue, to each of whom he leaves ten shillings, "to buy a pair of mourning gloves." He styles himself "George Fortescue of London, Gentleman."

The following pious sentence, although it proves the Christian feelings of the writer, (happily) gives no answer to the question whether or not he died in the Reformed or Roman Catholic faith—he certainly lived in the latter for many years of his life:—"I bequeath my soule to my dear Lorde and Redeemer Jesus Christ, hoping to attaine unto life everlasting in his glorious preface, by the meritts of his bitter passion."

A codicil leaves "the rent of the hundred pounds now in Sir John Fortescue's hands" to his cousin Anthony Fortescue. The will was proved at London, 13th of September, 1659.¹

GENERAL RICHARD FORTESCUE.

There is frequent mention in books and papers, during the Wars of the Parliament, of Richard Fortescue, a Cromwellian officer of distinction, to whose place in the Fortescue family I have not found any clue; but as his landed estates connect him with Berkshire, I place him at the end of the Salden House, who were also connected with that county.

From the outlines of such notices of him as remain, others may, perhaps, ascertain his descent. The Thurloe State Papers, Whitelock's Memorials of the Civil War, and the Rawlinson MS. in the Bodleian, are the chief sources of information.

He was a colonel in 1644.² In August, 1646, he took Pendennis Castle from the Royalists, and was made its governor; and his name occurs in various expeditions and services in England until December, 1654, when he is first mentioned in the Thurloe State Papers as going with his regiment to Barbadoes.³

In July, 1655, he writes from Jamaica to "Mr. Taylor, minister of the Gospel, at his house in Bell Alley,"⁴ giving details of his voyage to that island, viâ Barbadoes and Hispaniola, and hoping that the army "has come to make way for the Gospel." This letter is characteristic of the puritan times. He also writes about the same time to Secretary Thurloe, requesting him "to see justice done to him" about some sums of money for the purchase of lands and woods; here he mentions his wife. And on the 20th July he prays

¹ See the Will, in the Appendix.

³ Thurloe State Papers, vol. iii. part 4, pp. 649, 650.

² Whitelock's Memorials, p. 125.

⁴ Ibid., vol. iii. p. 650.

the same person "to put an end to the suite between Lord St. John and himself, and to pay to his wife the arrears long due,"¹ amounting to 2674*l.* 9*s.* By commission dated June 24th, 1655, he was appointed Commander-in-Chief in Jamaica.²

Fortescue, now become Major-General, had been appointed to succeed General Venables as Governor of Jamaica, in the event of the death of that officer, which came to pass soon after Fortescue's arrival in the island. There are several letters between Cromwell the Protector and the new governor;³ but the latter soon died.

Major Sedgwick, writing from Jamaica to the Protector, November 5th, 1655, says, "God visited the Major-General with sickness, and in four or five days snatched him away."⁴

There is a petition,⁵ "read July 26, 1655, from Mary, wife of 'Sir Richard Fortescue,' addressed to Cromwell, touching the cutting of timber on the estate of Holshott, parcel of the property of the Marquis of Winchester, purchased of the trustees. Her husband is absent in the Parliament's service. She prays for the arrears due to him, as their creditors are importunate."

His will,⁶ dated July 5th, 1648, proved July 29th, 1657, appoints his wife Mary the executor, and mentions two daughters, Mary and Frances. It mentions house and land at Bray; houses in Broad Street, Reading, Berks; rent-charge in the parish of St. Giles', Reading; and debentures in the hands of Mr. Goodwin, M.P., to the value of 2800*l.*, reciting that "Major General Cromwell has directed an ordinance for the arrears out of the estate of delinquents." Testator's friends, Colonel Thomas Bulstrode and Mr. John Clendon, are made Overseers of the Will. "May 1, 1657, administration was granted to Mary, relict of Colonel Richard Fortescue, of Hickfield, in county Southampton, but who died in Jamaica."⁷ I suspect that Sir Faithful Fortescue has in some cases got credit, and sometimes discredit, for actions done by this Parliamentarian, his contemporary on the opposite side.

¹ Thurloe State Papers, vol. iii. p. 654.

² Rawlinson MS. in Bodleian (printed), 27, f. 647. See notices of him in several other numbers of those MSS., most of which, I believe, have been printed.

³ Thurloe.

⁴ *Ibid.*, vol. ii. p. 151.

⁵ Brit. Museum, Dom. Int.

⁶ See the Will, in Appendix.

⁷ Doctors' Commons.

APPENDIX TO CHAP. XV.

A.

Copy of Will of Thomas Fortescue.

In the name of God Amen : I Thomas Fortescue of Donington in the Countie of Berks, Esquire make this my last will and testament the tenth daye of Maye in the sixt yeare of the raigne of our soveraigne Lord James by the grace of God King of England, Fraunce & Ireland, defender of the faith &c. And in the yeare of our Lord God 1608. Remembringe the uncertaintie of the health of man in this transitorie worlde and howe wee know not neither ought otherwyse to hope or trust of any longer contynewance in this life then only at the omnipotent will and pleasure of the Allmightie. Therefore whilest men be in some health and of perfect remembrance it is most meete to consider and remember that all must die, whose end God graunte may be to our eternall joye. And to the end that such worldlie goodes as the Almighty hath lent me maye (if it should please God to call me out of this life upon short warninge) bee set in good order and staye. I have therefore thought it meet, necessary good and requisite to have my last Will and Testament in arediness. First and before all thinges I comend my soul to the most blessed handes of the holy Trinitie God the father, God the sonne and God the Holy Ghost, three persons and yet but one God everlastinge and Almighty, trustinge and assuredlie beleveinge soe firmly in Gods great mercy to be one of the chosen that are and shalbe saved by the most precious death, bitter passion, merits and resurrection of our Saviour Jesus Christ, where I am seised of an estate of inheritaunce of sundry landes in the county of Berks. I doe give the same landes unto my lovinge nephewe S^r. William Fortescue Knight, To have to him and his heires males of his body lawfully to be begotten and for defaulte of such issue I give the same landes unto S^r. Francis Fortescue and his heires for ever. Item I bequeath unto my sister in lawe the Lady Alice Fortescue widowe a ringe of goulde w^h a Turkye stone in it, and also a peece of golde conteyninge twenty duckettes. Item I bequeath unto my neece the lady Margery Poulteney soe much of my plate as shall amount unto the value of twenty markes, or soe much money to buy plate. Item I bequeath unto my loving nephewe S^r. Francis Fortescue Knight and to Lady Grace his wife to every of them ringes of golde with deathes heades to the vallowe of forty shillings. Item I bequeath unto my goddaughter Dorotheie Fortescue, daughter unto S^r. Francis Fortescue and Grace his wife a peece of plate of the vallowe of twentie nobles to be delivered to her father for her use. Item I bequeath to every other the children that the s^d. S^r. Francis and Grace shall have borne and livinge at my decease to every of them ringes of Gold to the vallowe of fortie shillings. Item I bequeath unto Michaell Payne sonne unto John Payne of Wallingford, the some of twentie poundes which his said father dooth owe unto me. Item I doe forgive unto Francis Huntley, Thomas Payne & Griffith Payne, All debtes due by them unto me. Item I bequeath to every my servauntes that attend one me at the tyme of my decease to every of them five markes. Item I bequeath and give to the use of the poor people inhabitinge within the parishes of Welford, Boxore, Newbery and Shawe within the countie of Berkes the some of twentie poundes to be ymployed in a stocke for the keeping of the said poore people in worke. Item where there is owinge unto me Sondry great somes of money by my late mother dame Anne Parry, widowe deceased, as by bookes of accomptes appearith, And where I was made sole

executor unto my said mother. And upon mediacion of good frendes, viz. S^r. Thomas Bromley, Knight, the Lord Chancellor of England and S^r. John Fortescue I did deliver all the goodes, chattells, plate, household stufte, stockes of cattell and corne that was the same Dame Anne Parry's remayning at Welford in the Countie of Berks, as by an inventory thereof made appereth unto the handes and possession of Thomas Parry nowe Knight, upon his faythfull promise then made before the said Sir Thomas Bromley and S^r. John Fortescue, To have paid all debtes due by the said dame Anne, And also to have paid all legacies which were given by the said Dame Anne whereof the said Sir Thomas Parry hath performed no part thereof but forced me the said Thomas Fortescue to discharge and paye the same the said Sir Thomas Parry having received goodes, chattells, plate, howsehold stufte, stockes of cattell and corne at Welford to the value of one thousand marks and better. Nowe my will and mynde is that if the said Sir Thomas Parry doe not only discharge all the legacies which yett are unpaid and debtes owinge by the said Dame Anne but also paye unto my executors two hundred poundes of lawfull money of England within one yeare after my decease or else put in securitie therefore my will is that my executors doe call for all such goodes, catalls, and household stuff, stockes of catell and corne or the valewe therof as the said S^r. Thomas Parry had and received of me the saide Thomas Fortescue. And then I will that my f^d. Executors doe performe the will of the said Dame Anne my mother in all poyntes and accordinge to the intent and meaninge of the said Dame Anne Parrye. Item my wille and mynde is that all suche plate, household stufte and bookes as are belonginge unto Anthony Fortescue my brother be safely kept and delyvered to the use of my said brother. Item I doe wishe that my body were buried in the chauncell of the church of Welford in the countie of Berks neere unto my mother the lady Anne Parry, And that there were some stone sett in the wall for a memoriall of me. And I give towards the repaire of the church of Welford fortie shillings. Item I doe ordaine and make my executors of this my last will & testament my lovinge nephewes Sir Francis Fortescue Knight and Sir William Fortescue Knight, unto whome I give all my goodes and chattells, requiring them to see all my debtes paid and then my last will performed as they will answere at the generall judgment. In witnes whereof I have hereunto sett my hand & seale the day and yeare first above written.

THOMAS FORTESCUE.

Proved at London on the 11 day of June A.D. 1611 by the oathe of Francis Fortescue and William Fortescue, Knights executors in the above Will nominated.

B.

Copy of Will of George Fortescue.

In the name of God, Amen. I George Fortescue of London, gentleman, doe make and constitute this my last [will] and Testament being in perfect memorie and sence, God be thancked therefore. In primis I bequeath my soule to my deare Lord and Redeemer Jesus Christ hoping to attaine unto life everlasting in his glorious prefence by the meritts of his bitter passion and for my bodie (if I die in London) I desire to have it layd att the entrance of S^t. Andrewes Church yard in Holborne in as positive and playne a manner as may be and this I desire my kindred noe way to oppose. for my temporall estate (which is little) I dispose thus, I give to my honored nephew S^r. Alexander Hamilton, to my nephew S^r. Thomas Beaumont, to my nephew Francis Bodingfeild, to my nephew John Tasbourne and to my

cofin Anthonie Fortescue tenn shillings to each of them to buy them a payre of mourning gloves and of this my last will and testament I constitute my executor my true freind Master George Ryche of Fulwoods Rentes Holborne and all wills formerly made by mee I doe by this Will [revoke] this seaven-teen of July one thousand six hundred fiftie nyne. By mee

GEORGE FORTESCUE.

Witneses John Henflowe, Henrie Smallee.

A codicill to this my last will and testament unto which I would have as much credit given as to my will itselfe being both written with my owne hand.

I give unto my Couzen Anthonie Fortescue the rent of the hundred poundes in Sir John Fortescues handes during his life but not the principall. I give unto my true friend Master William Worchefer of Binsco my three quilts I lye upon, with fower white blancketts and my two little redd coverings, I lay upon mee in the winter And my little downe pillowe, my apparrell I give to my old freind Master Francis Mathew and tenn shillings this 17 of July 1659.

By mee

G. FORTESCUE.

For my apparrell to Master Mathew thus I give him what suites of apparrell I shall have by mee all my coates and clokes only my cloth coate I give to my servant Jane Tamken to weare for my sake and to M^r. Mathew my two best shirts, all my bands and stockings and hatt.

By mee

G. FORTESCUE.

Proved at London, 13 Sept. 1659 by Geo. Rich sole executor &c.

C.

Will of General Richard Fortescue.

In the name of God, amen, 25 July 1648. I make and ordaine my last will as followeth, Whereas there is due and owing to me from the Parl^t. by twoe severall debentures one in the handes of M^r. Goodwin late one of the members of the House of Co^mons another in my owne custodie under the handes of the Com^{rs}. of Cornwall about twoe thousand eight hundred poundes, I give and bequeath to my twoe daughters Mary and Frances one thousand poundes part or parcell of the said deb: the residue to my be: wife M^{rs}. Mary Fortescue and whereas the Parl^t. was pleased to order all my arreares should be paid to me out of such delinquentes estates as I should nominate and Lord Generall Cromwell ordered to bringe in an ordinance to that purpose to settle soe much land on me and my heires at 12 yeares purchase as would satisfie my arreares that beinge not done I desire that if that take effect that each of my said children may have their proportion of the said deb: given to them as aforefaid secured to them respectively soe as they may have either 1000 per se in money or lande accordinge to the aforefaid order. Item, whereas there is above 200^{li} due unto me from the Com^{rs} after the 60000^{li} ass^{es}' in Cornwall on disbandinge and for which I dd to M^r. John Cowse the order of the Comittee for the armye together with an acquittance signed by me and lefte with him in trust to be delivered to the Treasurer or paym^r. of the navy the whole money mencioned in the said acquittance is due to me except two

moneths pay which my man Thomas Heminges is to receave, And whereas I have an adventure in the handes of M^r. Rich^d. Goodyare and Col. Barnes of about 130^{li} of which I expect a dailye returne from France and wheras there is due to me one hundred twenty and odd poundes from M^r. North and about fixtye poundes from Cha. Cordue and . . . Tovy of Penrin. And whereas there is alsoe in the handes of M^r. Henrie Trevillian fourscore poundes due to me the remainder of 200^{li} ordered to me by the Committee of Cornwall, And nyneteen poundes twoe shillings one pennie I give out of the severall fumes due to me as aforesaid, To my said daughter Mary two hundred poundes, and to my said daughter Frances two hundred poundes to be paid to them at their respective ages of eightene yeares. In the meane time I desire my said wife their said mother whome I make my sole executrix of this my last will with the advise of my loving freinds Col. Tho. Bolstrode and M^r. John Clenden whome I make overseers by all lawfull meanes to improve it and to render the produce and result thereof to them at their said respective ages. And if either of them shall happen to dye before the said legacies become payable as aforesaid my will is that the survivor should have the legacie of her sifter soe dyinge. My house and lands at Bray I give to my wife, Alsoe my twoe houfes in Broad Street Readinge together with the yearlie rent charge of 50s. payable to me by Stephen Harris w^{ch} I had in S^t. Giles parish in Readinge. To hold to her duringe her life after her decease to remaine to my twoe daughters all the residue of my estate I give to my said wife Mary Fortescue whom I make sole executrix of this my will. In wittnes whereof I have hereunto sett my hande and seale the five and twentieth day of July 1648. RICH. FORTESCUE. M^d. John Clenden hath some money in his handes of mine about 60 or 70^{li}. I knowe not certainly the fume but I believe him to be so honest as to confes and pay it¹ it is concerninge some moneys left in my handes in trust by one Fra: Twisse.

Proved at London 29th July 1657 by the oath of Mary Fortescue the relict and executrix in the above will named she being sworn &c. &c. the letters of administration formerly granted unto her out of this court being delivered to be cancelled.

D.

On a slab in the floor of the chancel of the church of Weston Underwood, Bucks, is the following inscription. I have not discovered the name of Nicholas in any of the Salden pedigrees:—

“Here lies the Body of Nicholas Fortescue Esq^r. descended from the ancient Family of the Fortescues of Salden in the County of Bucks, who departed this Life on the 18 of October Anno 1719.

“Eighty-three years he lived—to die;
Then died—to live eternally.”

“Requiescat in pace. Amen.”

¹ Blank in original.

E.

*Epitaph for George Fortescue's Tomb.*¹

D.

O.

M.

Sub hoc Marmore Depositum est Nobilis viri Georgii de Forti Scuto, tertii filii Domini Antonii de Forti Scuto, et Dominæ Catherinæ Poole.

Annos octaginta emensus in vita cœlebs, et innocua, licet ut plurimum in Aula, periculoso illo actionis Theatro, cum luctu tandem omnium obiit, ac uti Sperandum est transiit ad præmiantem Dominum.

Anno Salutis 1634. Mense , Die .

Hoc marmor epitaphium in lacrymis posuit Georgius de Forti Scuto nepos, atque e Sacro fonte susceptus filius. .

¹ See pp. 363 and 429 of this volume.

CHAP. XVI.

The Fortescues of Normandy.

THERE still remains to be considered one branch of the Fortescues, very far removed by the lapse of centuries and distinctness of country from all those with which we have been occupied; in exploring whose origin we are forced once more, as in the case of the English families, to mount to the cloudy regions of tradition.

It will be remembered that Sir Richard Le Fort, who came from Normandy with William the Conqueror, and fought at Hastings in 1066, is said to have returned to Normandy, leaving in England his eldest son, Adam, who took his father's acquired surname of Fort-escu, and to have founded in his native country, through another son, a line of descendants, who there formed a flourishing family.

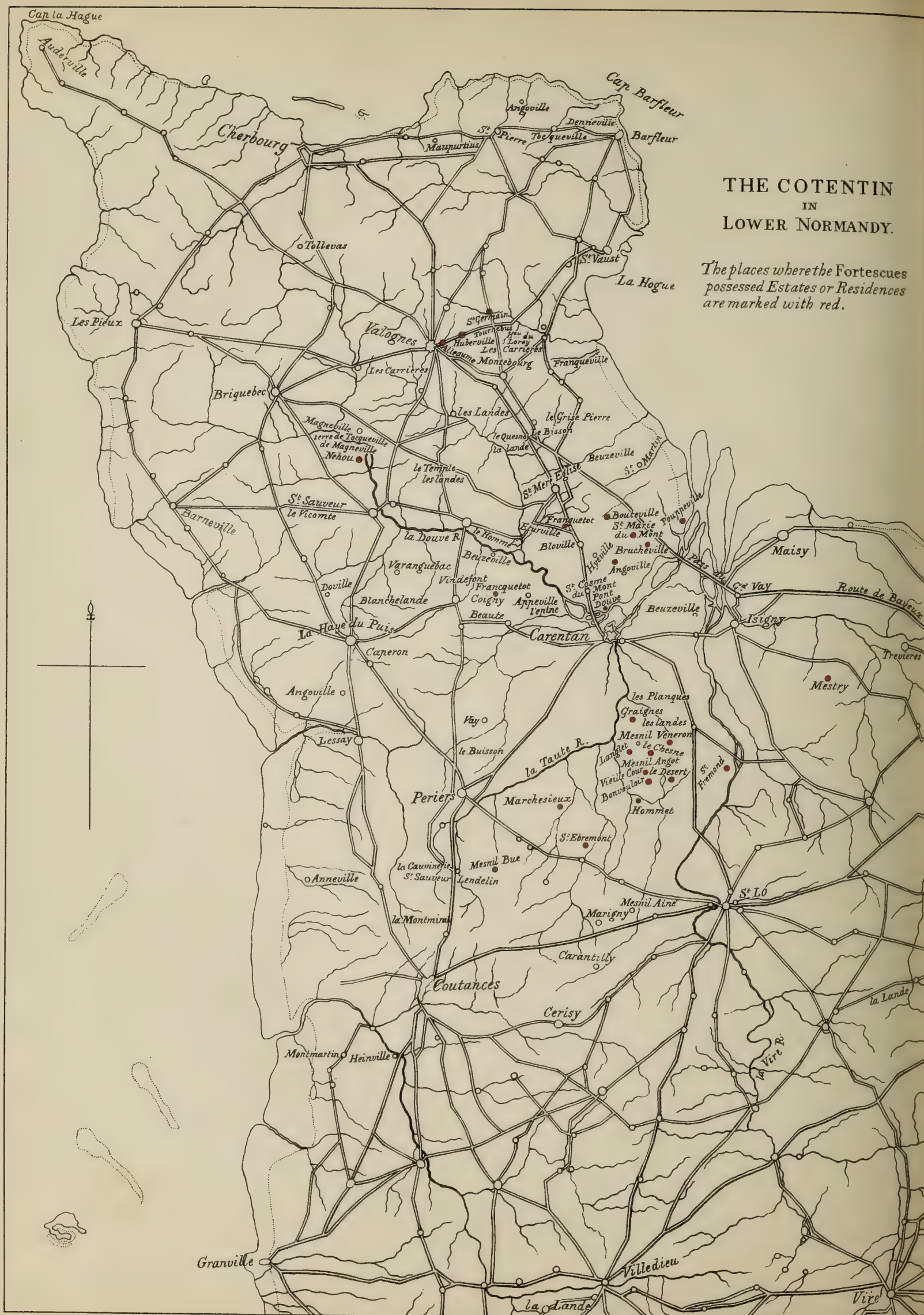
Of any part of this French family there is scarcely even mention in any English work that has come under my notice, much less is there any pedigree or detailed account of the whole. Several French genealogists and writers of local histories, however, give it a place in their volumes.

The earliest contemporary record of the name of Fortescu in Normandy which I have been able to discover is that of a marriage in 1244 between Philippe Emmanuel de Cramezel of Brittany and Louise de Fortescu, preserved by La Chefny de Bois.¹

Monsieur de Magny, "Directeur de la Bibliothèque Héraldique" of Paris, and editor of a "Nobiliaire de Normandie," published by a society of genealogists, has supplied me with some valuable information on this subject, from which I shall extract freely. He shows that the tradition handed down in France is mainly in accord with that current from very early times in the English family, and that it is to the effect that the founder of the name passed over to England from Normandy with William, Duke of Normandy, "the Conqueror," and fought in the battle of Hastings; ever since which time his descendants in France have borne the name of Fortescu. Monsieur de Belleval also, in his "Azincourt,"² writes in the same sense under the head of "Guillaume Fortescu," killed at Azincourt in 1415, thus:—"Fortescu famille Normande connue depuis Robert le Fort, surnommé Fortescu, compagnon de Guillaume de Normandie, 1066."

¹ La Chefny de Bois, Dictionnaire de la Noblesse, Paris, 1770, vol. v. p. 287, thus records the marriage:—"Philippe Emmanuel de Cramezel de Bretagne né en 1226, marié en 1244 à Louise de Fortescu d'une maison très ancienne qui a donné des Chanceliers d'Angleterre. Il en eut Emmanuel Philippe de Cramezel."

² Azincourt, de Belleval, 8vo., 1865, Paris.



Monfieur de Magny thus proceeds :—

“ Le nom des fires Fortefcu, alias Fortefcuc, Fortecu, *olim* Fortefcot, Fortefcut, eft incontestablement l’un des plus vieux, des plus nobles, et des plus renommés de l’ancienne Normandie ; une longue tradition chevaleresque s’attache à ce nom antique.

“ La race des Fortefcu a d’autant plus de mérite aux yeux d’un héraldifte, qu’elle negligea de porter un nom de terre, furnom pompeux qui n’était pour les nouveaux venus du XV^e fiècle qu’un moyen fpécieux pour déguifer la pauvreté de leur extraction plébéienne. Les Fortefcu, comme les Bauvet, les Marefcot, les Baudran, les Chabot, les Tournemine, etc. confervèrent tout fimplement leur nom du X^e. au XV^e. Siècle, et dans les fuivants on les voit toujours figurer fous le fimple nom de Fortefcu, à la bataille de Haftings (1066), à la croisade de Robert Courte-heuze, et de Godefroy de Bouillon¹ à la cour fouveraine de l’Echiquier de Normandie (1388-92), fous la domination Anglaife (Règne de Henri VI. d’Angleterre, et de Charles VII. de Valois), fous le nom de Fitz-Fortefcu (avec l’adjonction Saxonne) ou fimplement Fortefcu, aux champs célèbres d’Azincourt en 1415, puis en 1666 à la recherche des Nobles des bailliages et Elections de Vire et de Carentan.

“ Monfieur de Chamillard, Intendant de Juftice à Caen, les declare Nobles de vieille race, et ordonne l’infcription de leur nom au rôle légal de Gentilshommes de la Généralité de Caen.”

In the year 1463, when the Prefident Monfaut investigated the claims of the Norman families who ranked as noble, the Fortefcues were declared to belong to the “ ancienne nobleffe,” showing a noble defcent of at leaft four generations, which the custom of Normandy required.²

The lands, fiefs, and refidences of the Fortefcues were all in the fame part of the Duchy, that diftrict of Lower Normandy which lies between St. Lo to the fouth and Valognes to the north including all, or nearly all, the denominations of their eftates ; while by far the greater part are to be found near the town of St. Lo and Carentan, and on the fhores of the eftuary through which the Vire and the Douve pafs into St. George’s Channel. It was in the parifhes of St. Marie du Mont north of Carentan, and of Mefnil-Angot, and Le Defert, to the fouth of that town, that the families of which we have moft knowledge were eftablifhed.

M. de Magny has fupplied me with a copy of a document of the date of 1552, giving a genealogy of the anceftors of “ Meflire Richard Fortefcu, Chevalier,” the holder of a fief in the parifh of Mefnil-Angot, which enables us to trace the defcent of the Fortefcues from the period of the Englifh Conqueft.

The document was in the cuftody of the “ Juge de la Nobleffe, et point d’honneur,” and the copy of which M. de Magny’s is a tranfcript is figned by “ Du Londel Confeiller rapporteur.” It follows here in full :—

¹ La Chefnye des Bois, Diét. de la Nobleffe, vol. vi.

² Ogilvy, vol. i. p. 125 (MS.).

Information d'ancienne Noblesse d'extraction de nom et d'armes, faites en 1552 pour Messire Richard Fortescu Chevalier, homme noble, tenant fief de la Paroisse du Mefnil, Election de Carentan au Pays de Costentin devants les Conseillers du Roy Notre Sire, et ses Elus en cette Election.

Porte: d'argent, à trois bandes d'azur; et crie: Fortescu.

Villiams Fortescu Chevalier feut à la Conquête avec le Duc de Normandie.

Robert Fortescu Chevalier fit le Pélerinage des saint lieux avec le Duc Robert Courtheuze, et Godefroy de Bouillon.¹

Filiation Noble.

- I. Richard Fortescu, vivant 1160.
- II. Guillaume Fortescu, alias Fortescut, bachelier, vivant en l'an 1203.
- III. Robert Fortescu Chevalier-Banneret, vivant 1239; il epoufa Noble fille Jehanne de Ruffy Picot.
- IV. Henri Fortescu, Ecuyer=Ydette Merlet.
- V. Charles Fortescu Chevalier 1314=Marguerite Guillots.
- VI. Anthoine Fortescu, Noble.²
- VII. Jean Fortescu Chevalier, vivant 1388; il epoufa Adrienne du Foffé, fille Noble.
- VIII. Messire Williams de Fortescu Chevalier tué à la bataille d'Azincourt le Vendredi 25 Octobre 1415; et Messire Johan Fortescu Chevalier, dit Fitz-Fortescu, vivant en l'an 1420, marié à Noble fille Marie de Perfy, dont—
- IX. Guillaume Fortescu dit Trifan, Ecuyer, marié en 1450, à Noble fille Jacqueline de Bauffy.
- X. Jacques Fortescu Ecuyer, 1483=Françoise Euldes, dont—
- XI. Trifan Fortescu Chevalier=Anne d'Ouray.
- XII. Richard Fortescu Chevalier, 1545=Catherine le Gay, dont advinrent—
- XIII. Jacques Fortescu (1^{ier}) et Guillaume Fortescu Enfants soubz âge du dit Richard impetrant.

Collationé, &c.

Signé, Du LONDEL.

M. de Magny continues this pedigree from other sources, thus, beginning with the above-named "Jacques 1^{ier} et Guillaume Fortescu," sons of Richard Fortescu:—

1. Jacques (I.) Fortescu, auteur de la branche de Vire.
2. Guillaume Fortescu, auteur de la branche de St. Lo.

¹ M. de Magny, in his complete pedigree, introduces between this Robert Fortescu and Richard Fortescu, living in 1160, "Guillaume Fortescu Chevalier, dont Robert Fortescu Chevalier, qui fut héritier de Guillaume Fortescu, Chevalier Banneret," but gives no authorities.

² Seigneur de Mefnil-Angot (De Magny).

Branche de Vire.

Jacques (II.) Fortescu Chevalier, epoufa N dont il eut—

Guillaume Fortescu Ecuyer, qui epoufa N dont il eut deux fils.

1° Jacques (III.) Fortescu de la Paroisse du Pleffis-Grimoult, Election de Vire, maintenu Noble en 1666 par M. de Chamillard.

2°. Marc-Antoine Fortescu Ecuyer, vivant en 1666, de la Paroisse de Maifroy-sur-Iffignay.

Branche de St. Lo.

Guillaume Fortescu laiffa, d'une alliance inconnue, deux fils :—

1° Nicholas qui fuit.

2° Jean Fortescue Père de (A.) Michel Fortescu Ecuyer,¹ du Defert, de la fergeanterie et de la Paroisse du Hommet sur Carentan, Noble en 1666, inscrit au Catalogue des Nobles de la Généralité de Caen.

Nicholas Fortescue Ecuyer, marié à Noble Demoiselle Catherine Cadot des Seigneurs de Gerville, de la Paroisse de Mefnil-Angot sur Carentan; maintenu Noble en 1666; et inscrit au Catalogue officiel des Nobles de la Généralité de Caen; il laiffa deux fils favoir.

1° Jean Nicholas qui fuit.

2° Léonor ou Léonard Fortescu Ecuyer, Seigneur du Chefne, puiné, (Paroisse du Mefnil-Angot) maintenu noble de vielle race, 1666, et inscrit au rôle des Nobles de Caen; fit enregistrer ses armoiries à l'armorial général officiel de 1696 au Registre de Caen, fo. 112, "d'argent, à trois bandes d'azur."²

Jean Nicholas de Fortescu, de la Paroisse du Mefnil-Angot Ecuyer, Seigneur du Taillis, epoufa Noble Demoiselle Anne de Minfant ou Miffant, des Comtes de la Bigne, famille Noble d'ancienne race. Il eut pour fils :—

A. Jacques Joseph de Fortescue Ecuyer, Seigneur du Tailly qui fit enregistrer ses armes à Caen, fo. 256, "d'argent, à trois bandes d'azur."

AA. Son petit fils Paul de Fortescu comparut à l'assemblée de la Noblesse pour les Etats Généraux au bailliage de St. Lo en 1789 (voir les listes Electorales de 1789). Sa fille Barbe Nicole Albertine de Fortescu, epoufa, le 12 Juin, 1787, le Baron Jacques Rodolphe Titon du Tillet Capitaine, puis Consul de Suède à Padoue.

Je fousigné ancien Elève de l'Ecole Imperiale des Chartes, Directeur de la Bibliothèque Heraldique et des Archives de la Noblesse, certifie que la prefente genealogie de la famille Fortescue a été rédigée tant fur les documents et titres originaux confervées dans les Archives

¹ Bibl. Imp. Armorial Général, Normandie, fol. 241, No. 58, Bureau de Valognes.

² Ibid., Caen, Cabinet de Titres, vol. 388, fol. 93.

de la Bibliothèque Heraldique, que sur ceux qui existent dans les dépôts publics de Paris et de Rouen.

Paris, le 26^{me} Octobre, 1867.

Le Directeur de la Bibliothèque Heraldique et des Archives de la Noblesse,
V^{te} de Magny.

Soon after the last of the foregoing dates, 1789, the Fortescues, who were looked upon as aristocrats, seem to have almost disappeared from the province, by emigration and the guillotine, in the frightful times of the all-effacing Revolution. I have a letter from M. le Comte de Bonvouloir, obtained from him, at my request, by M. Gabriel Ogilvy, author of a "Nobiliare de la Normandie," in March, 1866, which, with communications from M. du Bosc, and M. Ogilvy's report of his visit to the district, will show what is the present condition of the few survivors of the old name there.

Château de Vouteville, près Bayeux, Calvados.

Je reçois à l'instant, Monsieur, la réponse de M. Hervé de Fortescu, et malheureusement il ne lui reste plus de papiers de famille. Il me dit que son père avait encore beaucoup de vieux titres qu'il se rappelle d'avoir vus dans son enfance, et dont il a souvent entendu parler; mais comme ils sont tombés dans un état voisin à la pauvreté, son frère aîné entre les mains duquel étaient tombés ces papiers, n'en a pas apprécié l'importance et les a laissés perdre complètement. Il se rappelle que son père lui a dit qu'un Léonore de Fortescu était allé en Angleterre, il y a plusieurs siècles. Maintenant il est à ma connaissance que les anciennes recherches font mention de leur famille comme habitant les Communes du Mesnil-Angot, et du Defert, ou il leur reste encore aujourd'hui quelques hectares de terre. Mon père se rappelle d'avoir vu au commencement du siècle un vieux Chevalier de Fortescu qui est le dernier de la famille qui ait vécu noblement, les derniers ayant été forcés d'apprendre des métiers pour vivre.

Dans tous les cas leur petite-fille n'empêche pas qu'on ne sache très bien dans le pays qu'ils sont de très ancienne et bonne Noblesse, et j'ai souvent entendu parler dans ce sens à mon grand-père qui était très au courant des familles du pays.

Je regrette donc, Monsieur, de ne pouvoir vous transmettre rien de plus précis. Si on tenait beaucoup à avoir connaissance des titres qui peuvent rester en Normandie sur la famille de Fortescu, on pourrait écrire à Mons^r. du Bosc, Archiviste du Département de la Manche à St. Lo, c'est la personne qui me paraît le plus en état de donner des renseignements.

Adieu, Monsieur,

Recevez l'assurance de ma considération,

C^{te}. AUG^{ste}. DE BONVOULOIR.

We may assume that the old "Chevalier de Fortescu" here mentioned is the Paul de Fortescu of M. de Magny, recorded as present at a meeting of the nobility at St. Lo, in 1789.

Monfieur du Boſc, the keeper of the archives, in answer to inquiries made in accordance with the foregoing ſuggeſtion, very courteouſly replies that the “doſſier” of Forteſcu in his office at St. Lo contains only a few papers of intereſt, of which he furniſhes abſtracts, which will be given hereafter.

I ſubjoin parts of two letters from him to M. Ogilvy, written, the firſt from Montebourg, on the 9th of April, 1866; the other from St. Lo, on the 17th of the ſame month.

“Les Forteſcu d’Angleterre, et les Forteſcu de France ont très certainement une origine commune, ce n’eſt pas une queſtion à débattre.”

“Depuis mon retour à St. Lo, j’ai fait un voyage dans la commune du Deſert, lieu ou demeure un membre de la vieille famille de Forteſcu, le plus capable m’avait on dit, de donner des renſeignements. Il m’a déclaré que dans ſa branche il n’a été conſervé aucuns titres qui puiſſent être de la moindre utilité.

“Cette branche eſt ainſi compoſée:—

“1°. Jean de Forteſcu, demeurant à l’Anglet, terre patrimoniale, 56 ans; marié.

“2°. Hervé Alexandre de Forteſcu, demeurant à Bonvouloir, 54 ans; marié (c’eſt lui qui m’a renſeigné).

“3°. Jacques de Forteſcu, demeurant au Meſnil-Veneron, 51 ans; marié.

“4°. Théodore de Forteſcu, demeurant à Graignes; marié.

“Ils ſont fils de Hervé Alexandre de Forteſcu décédé à l’Anglet il y a une douzaine d’années. Ils ont trois couſins nés au Meſnil-Veneron tout près de l’Anglet, l’un eſt propriétaire et journalier, deux ſont domeſtiques aux environs de Bayeux. Ils n’ont pas plus de titres que les quatre premiers. Tous ces gens là ne pourraient établir leur généalogie qu’au moyen des regiſtres de l’état civil, qui ne remontent pas généralement au-delà de 1690.”

In Auguſt, 1866, M. Gabriel Ogilvy, having occaſion to go to Normandy, was ſo good as to viſit the diſtrict between St. Lo and Carentan, where the Forteſcus mentioned in M. du Boſc’s letter reſide. He travelled by railway from Bayeux to the ſtation of Airél on the Cherbourg line; thence on foot ſome few miles further to Le Deſert, Bonvouloir, and l’Anglet, viſiting two of the four brothers above named, viz., Jean (or Jean François), the eldeſt, and Hervé de Forteſcu, the ſecond brother. The former is a ſmall peaſant-proprietor, tilling his own thirty-nine vergées of land. He is a municipal councillor of his commune of Le Deſert, and ſhowed M. Ogilvy the ſummons which he had received to an approaching meeting of the Council, thus addreſſed:—

“ Monſieur,
Monſieur,
Jean-François Deforteſcu, Cultivateur et Conſeiller,
à L’Anglet,
Commune du Deſert.”

Hervé appeared to be in rather better circumstances; he was formerly Garde de Chasse and Garde de Ferme to the Count de Bonvouloir, and bought from his employer the land on which stood the old Château de Bonvouloir, on condition that it should be pulled down. He lives in a cottage close at hand. M. Ogilvy also visited the house of a Fortescu in the village of La Gauterie, between St. Fremont and Le Desert, called "Fortescu des Marais," or, more commonly, "De Marais" only, descended from François de Fortescu, Seigneur de Marfleur, in 1736. It would seem that he is a farm labourer.

M. Ogilvy finally examined the Mairie of Le Desert, where he found papers enabling him to draw up the following descent of these Fortescus, by which it will be seen that they are sprung from Guillaume Fortescu, founder of the branch of St. Lo, in M. de Magny's pedigree, where will be found Jean Fortescu, second son of the above-named Guillaume, and father of Michel, inscribed as Noble at Caen in 1666. This Michel de Fortescu stands first in M. Ogilvy's pedigree, thus:—

- I. Michel de Fortescu, Ecuyer, fleur du lieu et de L'Anglet en 1670, fut père de—
 1. Charles¹ de Fortescu, Ecuyer, Sieur de L'Anglet, 1684-1701; dont Charlotte de Fortescu en 1700, 1701, filleule d'André de Fortescu prêtre, Ecuyer, en 1701.
 2. François, dont l'article suit.
 3. Damoiselle Marie de Fortescu en 1684-1711.
- II. François de Fortescu, Ecuyer, Sieur de L'Anglet et de Mesnilbu en 1707 et 1711, fut père de—
 1. Jean-François, dont l'article suit.
 2. François de Fortescu, Sieur de Marfleur en 1736. De lui est issue une branche de laboureurs demeurant à la Gauterie près Saint Fremont.
 3. Joseph-Antoine de Fortescu vivant en 1774.
 4. Paul de Fortescu vivant en 1774, père de Luc de Fortescu du Mesnil-Veneron, père de trois garçons maintenant partis en condition, c'est à dire, domestiques.
 5. Madeleine François de Fortescu née en 1736, fut mariée avec M. du Mesnil Angot, qui perit sur l'Echafaud au temps de Robespierre.
 6. Catherine François de Fortescu vivante en 1774.
 7. François de Fortescu vivante en 1774.
- III. Jean François de Fortescu Ecuyer, Sieur de L'Anglet, épousa en 1736, Marie Magdeleine François de Lemprière, dont—

¹ In the Armorial Général, Normandie, Caen, Cabinet de Titres, vol. 388, fol. 93, Imp. Lib., Charles Fortescu, Ecuyer, fleur de Langlet, is found to have registered his arms in 1696-97.

1. Hervé François Alexandre, dont l'article fuit, et
 2. Jean François naufragé sur les côtes de Guinée.
- IV. Hervé François Alexandre de Fortescu, servit sur mer de 11 à 15 ans. Mort le 10 Juin, 1854, ayant épousé Catherine Suzanne Birée, dont les quatre frères déjà nommés, vivants 1866.¹
- V. Jean François de Fortescu, fils aîné, né le 21 Juin, 1809; marié avec Marie Virginie Herouard, dont
1. Jules Aimable de Fortescu, âgé de 18 ans.
 2. Jean Yves de Fortescu, âgé de 17 ans.
 3. Alfonse Alexandre Ifidore de Fortescu, âgé de 13 ans.
 4. Marie Josephine de Fortescu, âgé de 7 ans.

The papers at Le Defert also mention Léonor de Fortescu, a brother or cousin german of his contemporary Michel Fortescu; he is given in M. de Magny's pedigree as Seigneur du Chefne, paroisse du Mesnil-Angot, 1666;² and by Ogilvy, quoting the papers in the mairie, as "Sieur de la Chefnye demeurant au Mesnil-Angot. En l'année 1691 André de Fortescu, fils du dit Léonor de Fortescu Ecuyer, sieur de la Chefnye s'opposa à la publication des bans de mariage des Mademoiselle Marie de Fortescu sa cousine germaine, fille de Michel de Fortescu Ecuyer, sieur de L'Anglet, avec Monsieur René Allix, sieur de la vallée de Daye."

There are also some of the Fortescu family still existing at Graignes, Canton of St. Jean de Daye, Arrondissement of St. Lo, where George de Fortescu, Ecuyer, left a son George, born in 1790, who, in the year 1810, left his native place to serve in the army, and has not been since heard of (November, 1867). This information is from M. Courois, Notary of St. Jean de Daye, who says that he is "Notaire de la famille de Fortescu,"³ and wishes for information concerning the missing person, who is supposed to have gone to England.

Another notice of a Fortescu in modern times is the following from the "Actes de l'Etat Civil à Bayeux":—

"1823. Acte de Mariage en date du 28 Juin, 1823, de Françoise Veronique de Fortescu, fille de Jean Paul de Fortescu Ecuyer, sieur de Bois, et de Marie Regnault de la Commune du Mesnil Veneron (Manche) avec Gilles François Denis."⁴

The list of "Emigrés de la République Française" contains the following:—"Fortescu (René) District du Rouher de la Liberté, Municipalité du Defert, Departement de la

¹ See page 453.

² See De Magny's Pedigree, *anté*.

³ See M. Courois' Letter to the Author, in the Appendix.

⁴ Communications Manuscrites de M. Olive, Rue Echo à Bayeux, 1864, in Ogilvy's MS. Account of Norman Fortescues.

Manche; ses biens situés dans les dits District, Municipalité, et Département; constaté émigré et porté sur la liste par arrêt du Département du 6^e Novembre, 1792.”¹

In 1769 Messire Jacques de Fortescu² was Bailli of the “Haute Justice” at La Haye du Puits.³ His wife was “Noble Dame Charlotte Néel,” who was godmother in 1770 to Charles Alexis Adrian du Heriffien, de Gerville, a learned antiquarian of Normandy, who died at Valognes, July 26, 1853.

In July, 1871, M. Ogilvy, having lately returned from Normandy, informed me that at Cherbourg, Sainte Marie du Mont, and Montbourg, in the Cotentin, he found seven or eight men of the name of Fortescu in the Mobiles. They belonged to the class of peasants, but, he added, “they all know that they have ‘parens’ in England of a more fortunate class.” They found the s in pronouncing their name.

In the Imperial Library at Paris there are many papers relating to the Norman Fortescues, throwing light upon some of the names in the foregoing Pedigree; several of them are muster rolls and receipts for the pay of esquires, men-at-arms, and soldiers in the last half of the 14th century; most of these relate to a Jean Fortescu Ecuyer, who appears in Du Londe’s genealogy (No. VII.) as “Jean Fortescu Chevalier.” We first find him in 1363, when he bought lands from Rogier Avernoy of the parish of Marchesieux.

There are several musters and receipts for pay at various times, from the year 1366 to September 20th, 1388, for himself and his company, “serving and to serve in the present wars in the Cotentin and Normandy in general,” which are dated at Carentan, St. Lo, and Bayeux. The musters are five in number, and the receipts up to his appointment as captain of Pont Douve are nine in all. To some of these his seal is attached, and a few impressions of that and of other seals have been found sufficiently well preserved to enable me to have drawings made from them, which, being of much interest, are engraved for this work.⁴

Muster of Jehan Fortescu, June 2, A.D. 1366.

La moustre de Jehan Fortescu Ecuyer, et deux autres escuiers en sa compagnie revue au seige du Honne le second jour de Juinz Mccclxvj.

Le dit escuier—cheval liart.

Guillem de Baron escuier—cheval noir.

Dué de la Maire escuier—cheval brun—bon.

¹ Bibliothèque Historique de la Révolution, partie ii. p. 53.

² Renault, *Revue Monumentale et Historique de l’Arrondissement de Coutances*. 8vo. St. Lo, 1854.

³ *Ibid.*, p. 576.

⁴ Cabinet de Titres (Imp. Lib.), Dossier “Fortescu.” See the list of its contents in the Appendix, and the Deed of Sale from Rogier Avernoy.

Receipt for pay from Jehan Fortescue June 9th, A.D. 1366.

Sachent tous que je Jehan Fortescu escuier ay eu et reçu de Remier le Boutelier clerc du Roy nostre Seigneur et son Vicomte de Beveux receveur general es bailliages de Caen et de Costentin des aides ordones pour la delivrance du Roi Jehan derrenier trepassé, donc Dieu ait lame, et pour le fait de la guerre la somme de douze frans d'or emprést sur les gaiges de moy et des gens darmes de ma compagnie deservans et a deservir sous le gouvernement de Monseigneur Guillem du Merle sire de Messy, cappitaine general es diz bailliages. De la quelle somme de douze frans je me tien pour bien paie.

Donne souz mon scel le ix jour de Juinz lan mil ccclx fix.¹

A like Receipt from the same, January 29th, A.D. 1379.²

Saichent tous que je Jehan Fortescu escuier confesse avoir eu et recue de Jehan le Flamene, treforier des guerres du Roy nostre Seigneur la somme de six vins quinze livres Tournois en prest sur les gaiges de moy et de huit autres escuiers de ma compagnie deservans et a deservir en ces presentes guerres du roy nostre dit seigneur es partées de Costentin soubz le gouvernement de Messire l'amiral de la mer. De la quelle somme de vj^{xx} xv l. T. dessus dite je me tieng pour content et bien paie.

Donne a Carentan soubz mon scel le xxix jour de Janvier l'an mil ccclxxix.

The seal, of which a drawing is here given, is attached.



Muster of Jehan Fortescue, February 1, A.D. 1380.³

La revue de Jehan Fortescue escuier et quatre autres escuiers de sa compagnie revue a Carentan le premier jour de Fevrier l'an mil ccclxxx.

Premier.	Michel Brisehance.
Le dit Fortescu escuier.	Jehan le Breton.
Jehan de Vandelle.	Robert Bloville.

¹ Cabinet de Titres (Imp. Lib.), Dossier "Fortescu." King John II. of France was taken prisoner by the English under the Black Prince at Poitiers in 1356, and died in 1364.

² Ibid. The seal is from the Clairembault Collection.

³ Clairembault, 48. Do. 3622. February 1, 1380.

The same, May 18th, A.D. 1380.¹

La revue de Jehan Fortescu escuier et huit autres escuiers de fa compaignie revue a Carentan le xviiij jour de Maie l'an mil ccclxxx.

Premier.	Jehan de Meantys.
Le dit Jehan Fortescu.	Jehan de Saint Germain.
Aymery le Nerroys.	Gorget Blondel.
Michiel Brifehanche.	Robert Teffon.
Mahier de Corbie.	Jehan de Saint Hillaire.

The same, July 1, A.D. 1380.²

La revue de Jehan Fortescu escuier, et six autres escuiers de fa compaignie auquelx le derrain estoit foubz Roger Suhart, reveue a Carentan le premier jour de Juillet l'an mil cccliiij^{xx}.

Premier.	Jehan de Mentis.
Le dit Jehan Fortescu.	Georget Blondel.
Michiel Brifchante.	Jehan Le Breton.
Aymery le Nourriez.	Guillem Dameril.

Receipt from Jehan Fortescu for pay, July 18, A.D. 1380.³

Saichent tous que je Jehan Fortescu, escuier, confesse avoir eu et reçu de Jehan le Flamene treforier des guerres du roye nostre seigneur, la somme de quatre vins dix livres Tournois en prest sur les gaiges de moy et de cinq autres escuiers de ma compaignie desservis et a desservir en ces presentes guerres du roy nostre dit seigneur en pays de Constantin foubz le gouvernement de Monseigneur l'Amiral de France. De la quelle somme de iiij^x l. T. dessus diz je me tien pour comptent et bien paie.

Donné a Carentan foubz mon scel le xviiij jour de Juillet l'an mil ccc et quatre vins.

There is another receipt from the same Jehan Fortescu,⁴ to the same, dated and sealed at Carentan, August 23, 1380, for 105 livres Tournois for himself and six other esquires, word for word like the former, excepting that the words "en parties de la Basse Normandie et Costentin" are substituted for "en pays de Constantin."

And another from the same to the same,⁵ dated and sealed at the same place, October

¹ Cabinet de Titres, Doffier "Fortescu." May 18, 1380.

² Clairemb. 48. Titres Scellez, vol. xlviii. 3621. July 1, 1380.

³ Ibid., Do. Original, with seal, July 18, 1380.

⁴ Ibid., Do. 3625.

⁵ Ibid., Do. 3623.

25, 1380, for 135 livres Tournois for himself and eight other esquires of his company, in the same words.

Another from the same to the same,¹ dated and sealed at Carentan, December 28, 1380, for 120 livres Tournois for himself and seven other esquires of his company, in the same words.

Muste of Jehan Fortescu, Nov. 1, A.D. 1385.

La revue de Jehan Fortescu, escuier, et vij autres escuiers de sa compaignie reveue a Carentan le premier jour de Novembre l'an mil cciiij^{xx}. et cinq.

Et premier,

Le dit Jehan Fortescu.

Guillem de Nerville.²

Receipt for pay from Jehan Fortescu, June 20, A.D. 1388.³

Saichent tuit que je Jehan Fortescu escuier confesse avoir eu et reçu de Jehan le Flamene tresorier des guerres du roy notre seigneur la somme de trante livres Tournois en prest sur les gaiges de moy et vij autres ecuiers de ma compaignie desservis et a desservir en ces presentes guerres en pays de Normandie. De la quelle somme de xxx l. T. dessus dicte je me tiens pour content et bien paie. Donné a Saint Lo, soubz mon scel le xx jour de Juinz l'an mil cciiij^{xx}. et huit.

The seal, of which a drawing is here given, is attached.



Two receipts from the same Jehan Fortescu to the same Treasurer Jehan le Flamene, come next in order; they are dated, one, September 5, 1388, at Carentan;⁴ the other, September 20, 1388, at Bayeux,⁵ each for thirty livres Tournois for himself and one other esquire, and each with a seal attached.

He receives in the following month an appointment as Captain of the Fort of Pont Douve,⁶ looked upon as the key of the Cotentin, near Carentan, as shown by the order from the Royal Treasurers upon the Vicomte de Coustance to pay him the salary attached to the post, provided that he shall perform the duties well and duly, and in his own person.

¹ Clairemb. 48 Do. 3623.

² Ibid., Do. 3622. Only the above two names given. Nov. 1, 1385.

³ Ibid., Do. 3623.

⁴ Ibid., Do. 3625.

⁵ The same.

⁶ This name is more correctly spelt "Pont d'Ouve." See "Histoire du Château et des Sires de Saint Sauveur le Vicomte," by L. Delisle, Valognes, 1867, p. 259, where much information is given on the history of the Cotentin.

*Order for payment to Jehan Fortescu, as Captain of the Fort of Pont Douve,
October 7, A.D. 1398.¹*

De par les tresoriers du roy notre seigneur a Paris. Viconte de Coustances, ou son lieutenant, accomplissez les lettres du dit seigneur au vidimus des quelles ces presentes sont attachez soubz l'un de nos signes. En payant doresnavant a Jehan Fortescu, Capitaine ou garde de la forteresse ou bastide du Pont Dove les gaiges ay cellui office appartenant aux termes et en la maniere accoustumez ainsi et par la maniere que le dit seigneur le mande. Escrypt a Paris le vij^e jour d'Octobre l'an mil ccciiij^{xx} xviiij. pourvu que le dit office il exerce bien et dument, et en personne, escrypt comme dessus.

FERRIER.

It will be observed that John Fortescu styles himself in the following receipts "Seigneur de Saint Evremont," elsewhere called St. Evremont sur L'Ozan, a parish on the small river Ozan, near Mefnil-Angot, and places before his name the "de" which in those days generally implied a fief of the name; of the existence of which there are indications also elsewhere: for example, in an attestation,² by a Jehan Fortescu, styled "de Fortescu," he is called "Seigneur du dit lieu;" he bears the same arms with the Captain of Pont Douve, viz., "argent, three bends azure," and may be the same person.

*Receipt from Jehan Fortescu, Lord of St. Evremont, for his pay,
June 23, A.D. 1399.³*

Sachent tous que je Jehan de Fortescu, escuier, seigneur de Saint Evremont, et Capitaine ordene depar le Roy notre seigneur, de la forteresse et bastide du Pont Douve, congnoys et confesse avoir eu et reçu de honnorable homme Jehan le Chien Viconte de Coustances la somme de quarante et une livres, sept soulz, quatre deniers Tournois, a moy deubz a cause de mes gaiges du dit office de Capitaine depuis le penultieme jour d'Octobre mil ccciiij^{xx}. dix huit derraine passe, jusque au jour de pasques ensuivant, de la quelle somme de xliij^l. viij^s. iiij^d. Poitevois je me tien pour bien paie, et en quitte le Roy notre seigneur, le dit Viconte et tous autres. Temoins mon scel mis en ceste presente quittance le xxiiij jour de Juin, l'an mil ccciiij^{xx}. dix neuf.

J. FORTESCU.

¹ Cabinet de Titres, Doffier "Fortescu," October 7, 1398.

² Abstracts of Deeds on Vellum, in Imp. Lib., Paris; and Chamillard, in "Le Blazon Français," in Mr. Letaigne's letter.

³ Cabinet de Titres, Doffier "Fortescu," June 23, 1399.

A like receipt for 50 livres Tournois, from the same to the same,¹ dated November 28, A.D. 1400, for the term of St. Michael last past, is thus certified:—

“En temoing de ce jay scelle ceste quittance de mon propre scel le xxviiij jour de Novembre l’an mil quatre cens.

“FORTESCU.”

The death of this John Fortescu took place about the end of the year 1402, a receipt for his pay being signed by his son on the second of February, 1403, thus:—

*Receipt from Guillem Fortescu for pay due to his late father as Captain of Pont Douve,
February 11, 1403.²*

Je Guillem Fortescu escuier fils et heritier de feu Jehan Fortescu nagaires Cappitaine du Pont Douve, confesse avoir eu et reçu de honnorable homme Robert de Lettre Viconte de Coustantin la somme de cinquante livres Tournois qui deuz estoient a mon dit feu pere a cause de ses gaiges de Cappitaine du terme Saint Michel dernier passe. De la quelle somme de l. l. T. je me tien pour bien paye et comptent et en quitte le roy notre seigneur le dit Viconte et toux autres a qui quittance en appartient. En tesmoing de ce jay scelle ceste quittance de mon scel le ij jour de Fevrier, lan mil quatre cens et trois.

The seal here given is attached to this document.



This Guillaume Fortescu is the same who, in 1415, was killed at the great battle of Agincourt. The next receipt shows that he succeeded to his father's office at Pont Douve, which indeed appears to have become hereditary in the family, for, as other papers will show, Guillaume Fortescu's next brother, Sir John, Lord of St. Evremont, was afterwards captain of the same fortrefs.

Receipt from Guillem Fortescu for pay due to his late father, June 11, A.D. 1404.³

Sachent tous que je Guillem Fortescu escuier filz de feu Jehan Fortescu confesse avoir eu et reçu de honnorable homme et fage Robert de Lettre Viconte de Coutances la somme

¹ Cabinet de Titres, Dossier “Fortescu,” Nov. 28, 1400.

² Ibid., February 2, 1403.

³ Ibid., June 11, 1404.

de vint et chincq livres, neuf fouz, fix deniers oñ Poitevine qui deubz estoient a mon dit pere et a moy pour noz gaiges de service par mon dit pere et par moy depuis le jour Saint Michel lan mil cccc et troiz celui jour inclus, jusques au darrain jour de Janvier ensuivant exclu.

De la quelle somme de xxvj. ixs. vid. oñ Poitevine je me tien pour content et en quitte le Roy notre seigneur, le Viconte, et tous autres a qui quittance en peut et doit appartenir. En temoing de ce jay scelle ceste quittance de mon propre scel le xj jour de Juing l'an mil iiij c et quatre.

The seal attached to the two foregoing receipts is thus described by De Belleval :—

Seal: A shield with three bends; supporters two Lions.

Crest: A Lion's head within a pair of wings.¹

We next find him, three months before the great battle where he met his death, passing muster at Valognes with his twelve squires.

*Muster of Guillem Fortescu, July 25, A.D. 1415.*²

La Moustre de Guillem Fortescu, escuier, et de douze autres escuiers de sa compaignie, reveue a Valognes le xxv jour de Juillet l'an mil cccc et quinze.

C'est assavoir.

Jehan Fortescu.
Ricart Fortescu.
Pierre Fortescu.
Guillem Auber.
Pierre Loré.
Michelet Lenfant.

Le dit escuier.
Pre le Feure.
Robin le Feure.
Jehan Peinel.
Jehan de Chillans.
Frolin de Tilly.
Raoul des Mons.

His name is in Monstrelet's Chronicle in the list of "the names of the Princes and other Lords from divers countries who perished at this unfortunate battle on the side of the French."

Under the head of "les grands seigneurs des Marches de Picardie, comme d'autres pays," among a very large number we read "Guillaume Fortescu."

De Belleval says :—"Les Chroniquers ne pouvaient enregistrer huit milles noms (de gentilshommes qui perirent a Azincourt) ils ont du faire, ils ont fait un choix et parmi les combattants et les victimes ils n'ont nommé que les perfonages les plus en evidence par leur grandes fonctions, ou leur haute naissance."³

¹ De Belleval, Azincourt, p. 193.

² Clairembault, 48, Do. 3624.

³ De Belleval, Azincourt, Preface, p. 8.

Pierre Fortescu, one of the three of the name serving with Guillaume at Azincourt, continued to act against the English. He is found in 1418 at the head of eighteen other Esquires,¹ in the army raised by the Dauphin for the defence of Touraine, and is reviewed at the siege of Tours, on the 12th of December in that year; and the following receipt shows him to have been employed against the same enemy in other provinces of the West of France, in the following spring:—

Receipt for pay from Pierre Fortescu, May 31, A.D. 1419.²

Sachent tous que je Pierre Fortescu escuier confesse avoir eu et reçu de Hemon Ragnier tresorier des guerres du Roy notre seigneur la somme de quatre vins dix livres Tournois en prest et paiement sur les gaiges de moy escuier, et de onze autres escuiers de ma compagnie desservis et a desservir au service du Roy notre dit Seigneur et de Monseigneur le regent le roy, alencontre les Anglois qui de present sont en Duchie de Normandie, Contrez du Maine et du Perche et en plusieurs autres parties voisines, et partout ailleurs ou il plaira a mon dit seigneur le regent ordonner, en la compagnie de Monseigneur de Narbonne, et soubz le gouvernement de mon dit Seigneur le Regent. De la quelle somme de iiij^{xx} l. T. je me tieng pour content et bien paie, et en quitte le dit tresorier et tous autres.

Donne en tesmoing de ce soubz mon scel le dernier jour de May l'an mil cccc et dix neuf.

The seal here given is attached to this receipt.



At the date of the foregoing, Henry V. had again entered France, having landed in Normandy in August, 1417, with a very strong army of 30,000 men, and reducing Cherbourg, with all the other strong places of Lower Normandy, finally obtained possession of the entire Duchy by the fall of Rouen in January, 1419. We do not hear more of this Pierre Fortescu, but can discover the effect of the English conquest upon his cousin Jean Fortescu, second son of the former Captain of Pont Douve, and next brother to Guillaume killed at Azincourt, whom he succeeded in the Lordship of St. Evremont, as well as in the command at Pont Douve.

¹ Dom. Maurice, *Histoire de Bretagne*, Paris, 1744, 5 vols. folio, vol. ii. col. 986. (Communicated by M. Ogilvy.)

² Clairemb. 48, Id. 3625, May 31, 1419.

This fortress, like all others in the province, fell into the hands of the English.¹ On the 27th of March, 1418, Jean Fortescu, the governor, surrendered it to two knights, Sir John Robeffart and Sir William Beauchamp, sent for the purpose by the Duke of Gloucester, who took Carentan at the same time.

The conditions are preserved in a work by Brèquigny, and were as follows:²—

“Il est stipulé que les Chevaliers, et Escuyers emporteront leurs armures, vêtements, et emmèneront leurs chevaux, mais laisseront les canons, poudres, arcs, arbaletes, flèches, viretores, baudreux, et généralement les armes qui servaient de sauvegarde à la forteresse ;

“Que tous les Gentilshommes et autres de la dite forteresse qui voudront demeurer attendre et devenir hommes lieges et vrais, obeissans et subgiez de notre dit Souverain Seigneur le Roy de France et d'Angleterre, l'y accordera et accorde à tous ceux de la condition dessusdite, tous leurs biens, meubles, héritages, terres, et possessions, tant dedans le dit chastel comme dehors, hormis les terres qui auront été donnés devant ceste presente composition : Que les dames et damoiselles qui présentement sont au Chastel du Pont Douve, mon dit Seigneur de Gloucester de sa haute Seigneurie et gentillesse leur a accordé que au jour de la dite rendue elles auront et emporteront avecques eulx tous leurs biens propres.”

Jean de Fortescu signa cette capitulation en la ville de Saint Lo le 17^{me} Mars 1417-18.³

In accordance with the above conditions, Jean Fortescu was maintained by Henry V. in the possession of his property within the Bailliage of Caen and Coutances by a decree of the 19th of September, 1419,⁴ having already, on the 24th of June in that year, been named by the same King, “pour commander avec d'autres gentilshommes la Noblesse du Bailliage de Costentin.”

In 1420 there is the following attestation :—

“Attestation de Massion le Fevre chevalier garde du scel des obligations de la Viconté de Carentan, que Jehan Fortescue escuier a fait l'hommage que tenue lui estoit faire à cause et par raison de ses héritages, rentes, et possessions. Dat. 28 de Maie 1420.”⁵

The act of homage bears date at Caen, April 13th, 1420, in the eighth year of King Henry V.

¹ Carte, Catalogue of Gascon, Norman, and French Rolls in the Tower of London. Le Chanteur, Histoire de Carentan.

² Le Chanteur, Histoire de Carentan, quoting Brèquigny (see Ogilvy, p. 40).

³ See M. Olive de Bayeux, MS. communication.

⁴ M. Olive to M. Ogilvy, 1864.

⁵ Abstracts of Deeds on Vellum, Imp. Lib. Paris ; see also, in the appendix, “Mandement relatif à l'hommage que Jehan Fortescu avait fait au Roi d'Angleterre.”

Jean Fortescue's adhesion to the cause of Henry V. was complete. A Norman seigneur at that time scarcely counted himself as a Frenchman; and when a descendant of his old sovereigns the Dukes of Normandy appeared on the soil, he probably did little violence to any feeling of patriotism or of loyalty when he transferred his allegiance from the French King to the new conqueror. In 1424 he holds an honourable post as "Garde du scel des Obligations de la Viconté de Chierburgh."¹ In 1429 he became a knight and a banneret, with a command of importance in the Norman army raised by the Earl of Suffolk to assist the English forces then engaged in the siege of Orleans. He is mentioned in the "Administration de la Normandie sous la domination Anglaise,"² under the following heading:—

"Troupes Anglaises au siege d'Orleans, independamment de l'armee proprement dite, la plupart des Capitaines et des baillis fournirent sur leur retenues ordinaires un certain nombre de gens d'armes et d'archiers, on fit aussi appel aux gens nobles et tenans noblement du Duché de Normandie. Tous furent sommes de comparaître en armes a Vernon le Mardi 29 Mars 1429. Ils formerent un corps de 200 lances, et de 600 archers que l'on employa au mois d'Avril a conduire des vivres a l'armee affigeante, le 29 Avril ils partirent de Paris. Ces troupes feodales etaient sous les ordres de chefs de montres. Les Seigneurs que nous voyons décorés de ce titre etaient Messire Jean d'Oissy, Messire Jean Fortescu, Chevaliers, et Jean Sauvage Escuyer, pour les Vicontés de Carentan, Valognes, et Coutances. Leur compagnie se composait tous compris de deux Chevaliers-bannerets, un Chevalier-bachelier, dix hommes d'armes a la demi-folde, et vingt et un qui prenaient les gages d'archers nobles, cest a dire 6^d esterlins. Le 4 Avril ils etaient a Vernon, et le 19 a Paris."

The next two papers, from the MSS. in the Imperial Library, dated the day before the arrival at Vernon, bear upon this expedition to Orleans:—

*Muste of the Men-at-Arms and Archers under the Chevalier Jehan Fortescu,
April 3, A.D. 1429.³*

Moustre de iiij lances et xii Archiers a Cheval de la retenue de Messire Jehan Fortescu Chevalier, du nombre de cent lances, et trois cent Archiers ordonnes soubz le gouvernement de Monfieur le Comte de Suffolk, lieutenant du roy sur le fait de la guerre en Bas pays de Normandie, pour faire guerre aux ennemis du roy notre seigneur, estans a Montmeril, Montandain, Mont Saint Michel et ailleurs en pays d'Avranchin, prise a St. Lo le iij jour d'Avril

¹ As appears by the following in the Abstracts of Deeds on Vellum in the Imperial Library, "Acquittance de Jehan Fortescu escuier, garde du scel des obligations de la Viconté de Chierbourg a certaines personnes, des arrerages deubz a cause de ceulx heritages. Dat. 2 Juillet 1424."

² Vol. xxiv. of the above work (as communicated by M. G. Ogilvy), pp. 226, 227.

³ Collection Clairembault, tom. 162.

l'an mil cccc vingt neuf, avant Pasques par nous Jehan Harpelay, Chevalier bailli de Costentin, et Nicolas Franceys, Controlleur de la garrison du dit lieu de Saint Lo, a ce commis par Messieurs les Tresorier et Recevieur general de Normandie.

Premierement.

Hommes d'Armes.

Messire Jehan Fortescu, Chevalier.

Thomas du Bosc	}	Sans harnois de jambs.
Jehan Martyn		
Guillem Vanquelin		

Archiers.

Jehan Neel.	Jehan Reynault.
Colin Joffet l'aîné.	Thomas Parker.
Guillem Poiffon.	Perrin Bleffet.
Colin Joffet le jeune.	Jehan Moureton.
Simon Pontet.	Jehan Pibet.
Jehan de Beuseville.	Noel Lemperir.
Johan le Noir.	

Viens rabater pour la faute du harnois de jambe, par l'ordonance de Monsieur le Comte, pour les causes contenues en la fin des moustres du dit Monsieur le Comte. En temoing de ce nous avons signe ces presentes du noz faigns manuelz l'an et jour dessus dits.

J. HARPELEY.

N. FRANCEYS.

Receipt for pay from the Chevalier Jehan Fortescu, April 3, A. D. 1429.¹

Saichent tuit que nous Jehan Fortescu Chevalier, Capitaine de iiij lances, et xii Hommes de trait du nombre des cent lances, et trois cent Archiers a cheval ordonnez a mon Seigneur le Comte de Suffolk lieutenant du Roy notre Seigneur sur le fait de la guerre es bailliages de Caen et de Costantin pour faire guerre aux annemis du roy notre Seigneur, confessons avoir eu et reçu de Pierre Surreau receveur general de Normandie la somme de fix vings neuf livres iij*s*. iiij*d*. Tournois pour le paiement des gaiges et regars² de nous et iij autres hommes d'armes, et xii Archiers a cheval de notre dite retenue, pour le service d'un mois commençant au jour dui que nous avons fait nos presents, moustres en ceste ville de Saint Lo, par dit monseigneur le bailli de Costantin et Nicholas Fraunceys a ce commis par

¹ Cabinet de Titres a Paris, Doffier "Fortescu."² Sic in MS.

Monfeigneur le Gouverneur de Normandie. De laquelle fomme de *vj.^{xx} ixl. iij.^s iiij.^d*. deffus dictes nous nous tenons pour contens et bien paie. Et en quittons le roy notre dit Seigneur, le dit receveur-general, et tous autres. Donne a Saint Lo, foubz notre fcel le *iiij* jour d'Avril l'an mil *iiij* cens et *xxix* avant Pasques.

The receipt is endorsed—

“Blanc de Monfeigneur Jehan Fortefcu Chevalier pour fes gaiges de *vj.^{xx} ixl. iij.^s iiij.^d*. Tournois pour le fervice d'un mois de lui, *iiij* autres lances, et *xii* archiers a cheval.”

The Jehan Harpelay above mentioned occurs in Holinshed as “Sir John Harpleie Bailliff of Conftantin.”¹

The month for which Sir John Fortefcu engaged himfelf and his men had but juft expired when the Englifh were obliged to raife the fieve of Orleans by a fortie, headed by Joan d'Arc, on the 8th of May, 1429.

The following notice is the next in order :—

“Sir John Fortefcu and Sir William de Moleyns the Captains refpectively of the Castles de la Rivière de Thibonville, and Harcourt, affifted at the furrender of Effeux [to the Englifh] on the 4th of Auguft, 1429.”²

We find him a few months later filling the poft of “Garde du fcel des obligations de la Vicomté de Valognes.”

The Vifcounty was formerly one of the municipal divifions of Normandy, the Duchy being divided into feven “Grands Bailliages,” which were subdivided into Vifcounties, and then again into “Sergeantries,” which laft were made up of a varying number of parifhes. The Sergeantries were noble fiefs held from the King, and conferred on their poffeffors the right of naming the ferjeants for the different parifhes within their limits.³

The Keeper of the Seal for a Vifcounty was an officer of importance in his province, and the office was, according to La Chefnaye, only held by the leading families,⁴ and was entirely honorary. He fays: “Maré le Febre étoit en 1420 Garde du fcel des obligations de Carentan, charge exercée avant ou après lui par les Osber, Renault, Fortefcu, Le Cefne, Poirier, Franquetot, et autres de la généralité de Caen, tous diftingués foit par une ancienne Noblefle, foit par les charges de Gentilshommes de la Chambre, ou de préfidents à Martier.”⁵

A number of documents remain in the “Doffier Fortefcu” of the Imperial Library, iffued while Fortefcu kept the feal at Valognes. They are not, however, of any intereft in

¹ Holinshed, vol. iii. p. 156, ed. 1808.

² Adminiftration de la Normandie, vol. xxiv. p. 229.

³ Ogilvy's Nobiliaire de Normandie, Introduction, p. xiv. ⁴ Ogilvy, quoting La Chefnaye.

⁵ La Chefnaye, Dict. de la Noblefle, vol. ix. p. 684.

our family research, merely bearing the name of "Jehan Fortescu Chevalier" at top, and relating to affairs with which he was not otherwise connected. One is given as a specimen of the whole. It is the first of a series of eleven, extending from the 1st of September, 1429, to the 3rd of February, 1448.

A tous ceulx qui cest lettres verront.

Jehan Fortescu Chevalier, garde du scel des obligations de la Viconte de Vallongies salut.¹

Savoir faisons que pardevant Jehan Tallot clerc, tabellion juré commis et establi au siege du dit lieu, fut present Goret Pain de le Paroisse de Saint Christophe du Fon, le quel de son bon gre congnoisse et confesse avoir eu et reçu de homme pourveu et faige Thomas Pellere, Viconte de Valongnes la somme de vingt cinq livres Tournois que deubz lui estoient pour sa poine et falaire d'avoir maconné tout de neuf on dedans des fosses de la ville de Chierbourg aupres de la tour du nort ung contre mur en maniere de diquerie de blesce et de gason de xlvij pies de long quinze pies de haut, et de cinq pies de ley, icelle maconnerie contenu il desclara plus a plain en la cinquieme partie du roule des œuvriers de la dicte Viconté sur ce faite. De la quelle somme de xxvj. le dit Goret Pain se tint a bien content, et en quitta le roy notre seigneur, le dit Viconte et tous autres. En temoing de ce ces lettres sont scelles des dits sceaux sauf a tout droit. Ce fut fait a Valongnes le premier jour de Septembre l'an mil ccccxxix.

TALLOT.

This chevalier married, as the Du Londel Pedigree informs us under the head of No. VIII. in the descent, "Noble Fille Marie de Perfy," by whom he had his son and successor Trifan.

We find him with another wife, by whom he also had issue. This was Jeanne d'Anneville, daughter and heiress of Guillaume d'Anneville, Chevalier, Lord of Tournebu, by his wife Jeanne, daughter of Michel d'Anneville, Chevalier, Lord of Montaigu. This lady married before Jean Fortescu, Jean de Grimouville Lord of Gauville and of Carentilly. She is thus styled in *La Chefnye des Bois* :—

"Jeanne d'Anneville dame de Saint Germain de Tournebu, et de Saint Martin de viel, mariée secondement a Jean Fortécu Chevalier, Seigneur de Saint Evremont sur l'Ozan, et de la Mauffre, les enfants des deux lits partagerent la succession en 1449."²

Coliaux Fortescu, the daughter of Jean Fortescu, Lord of St. Evremont, married "Guillaum Osber, Seigneur de Coutourp Tesson,³ et Clitourp, Viconté de Valognes."

¹ Cabinet de Titres, "Dossier Fortescue."

² *La Chefnye des Bois*, Dict. de la Noblesse, 15 vols. Paris, 1778, supplement tome i. p. 95.

³ La Roque, *Histoire de la Maison d'Harcourt*, p. 2069, Preuves.

His eldest son, Trifan, is styled in the "Dictionnaire des Fiefs," by Gourdon de Genoillac,¹ "Seigneur de Mesnil-Angot, Seigneurie possédée par la famille de Fortescu en 1463." The following entry in the Register of 1598-99, by De Roiffy, relates to his descendant in the elder line: "Jacques de Fortescu Seigneur de L'Anglet fils Richard demeurant au Desert, Ser^{tie} du Hommet, Election de Carentan et Pierre son Cousin-Germain, fils Pierre demeurant a Saint André des bouchon sergeanterie de St. Eny—Jouiront."² Also in the "Recherches des Normandie," by D'Allegre, in the "Registre des jugements rendus par nous Estienne d'Aligre Seigneur de la Riviere, Conseiller du Roy," dated at Carentan le 27 Septembre, 1634, p. 51, is the following:—"Election de Carentan. Fortescu Art. 118. Veu les titres presentez par Guillaume de Fortescu escuyer, Sieur de Villecour, et du Langlet paroisse du Desert, Election de Carentan, fils Jacques, fils Richard, fils Jacques, fils Trifan de Fortescu—Jouirront."³ That is to say, "we are satisfied that they have a right to the privileges of Nobility."

We read that "Trifan Fortescu, Ecuyer, Seigneur du Mesnil-Angot, fut assigné en 1470, avec d'autres Vavasseurs pour estimer les fiefs de la riviere, et de Soulle paroisse de St. Froment mis en cries le 4^e Janvier, A.D. 1470."⁴

This Trifan was the ancestor of two other families besides the elder line, who are also in D'Allegre's "Recherches de Normandie." One of them, François Fortescu,⁵ is found noble, in 1598, by commissioners deputed to inquire into the usurpation of titles of nobility in the Généralité of Caen, thus:—

"22 Octobre, 1598, a Vallongnes, François de Fortescu, demeurant a Mesnil-Angot, Sergeanterie du Hommet, Election de Carentan, veu ses titres—Jouira, il a deux fils mineurs, Nicholas, et Michel."

These sons (the minors) come forward, in 1634, and obtain a confirmation of their nobility before d'Allegre, thus:—

"Veu les titres presentez par Nicholas de Fortescu, seigneur de Villecourt, paroisse du Mesnil-Angot Election de Carentan et pour Michel, Jacques, et Charles ses frères, enfans de François, fils Nicholas, fils Jacques, fils Nicholas, fils du dit Trifan de Fortescu ci dessus—Jouiront."⁶

An appointment made in 1512, by Nicholas Fortescu, named in this descent as great-grandson of Trifan, to an office in the sergeanterie of le Hommet, shows that he held that sergeanterie as a noble fief.

¹ See pp. 164, 191, 327, etc.

² Register par de Roiffy, et p. 95 (MS.).

³ Recherches de Normandie, MS., Co. Sect. xvii. Brit. Mus. Bibl. Harl. 4568.

⁴ Arch. de Monseigneur le Prince de Condé, in Abstracts of Deeds on Vellum, Imp. Lib.

⁵ See in the Brit. Mus. the following MS.:—"La coppie du Registre de Messieurs de Roiffy, Repichon, et Croismare, Commissaires commis par sa Majesté pour la recherches des Nobles de la Generalité de Caen aux années 1598-1599. Collatione sur l'original demeuré au dit sieur de Repichon un des dits Commissaires."

⁶ Recherches de Normandie d'Allegre. Fortescu, Art. 119, Harl. MS., Brit. Mus.

L'an mil cinq cens et douze le iiij jour de Novembre a Saint Lo, le noble homme Nicholas Fortescu, feigneur de la Vieille Court, plege Maistre Robert Fostain, avoit de droit a titre de serviage de la fergeanterie du Hommet pour le temps et terme de trois ans comples commençants a la Saint Michel derraine passe recours, de bien et deuement exercer la dite fergeanterie durant le dit temps de trois ans, et de faire bons et loyaux records et exploitz touchant le dit office, moiennant et par my ce que le dit Maistre Robert a ce present en promist acqeuiter et deliverer le dit Fortescu de tout ce que luy en pourront estre demande, et garder et obligier biens et heritages. Tefmoings Lo Davy ; et Hermen Furet.

J. CANNELANDE.

J. DE LENGSONNE.

A third line of descendants of the same Tristan was represented in the period of d'Allegre's inquisition, by Anthoine de Fortescu and his brother Jacques. They had become greffiers or registrars of the bailliage of Carentan, which office being held to be incompatible with the rank of a "Noble Homme," the two brothers were considered, according to the phraseology of the system, to have *derogés*, that is to say, to have lost their rank as nobles, and the commissioners condemned them to a fine of six livres each.

Their privileges were restored to them in the year 1645.¹ This is the form of the judgment :—

"Vu les titres presentez par Antoine de Fortescu, escuier, feigneur de demeurant a Saint André du Bouchain tant pour lui que pour Jacques de Fortescu, son frère, enfans de Pierre, fils Pierre, fils Jacques, fils Tristan de Fortescu, Escuyer, Seigneur de Mesnil-Angot, veu par nous les actes presentez par le dit Anthoine de Fortescu comme commis et fermier du greffe du Bailliage de Carentan, avons ordonné que le dit Jacques et Anthoine seront imposez a la taille en la dite paroisse de Saint André du Bouchain, a la somme de dix livres chacun du principal ; et pour avoir derogés, les avons condamnez a la somme de 6 livres chacun d'amende.

"Ils ont esté fermiers et greffiers du greffe a Carentan."²

By the following order of restoration we gather that another of the family had lost his rights by holding the same office :—

"1625, arrêt du Conseil Privé du Roi declarant que Jean de Fortescu ancien Noble, a derogé en exerçant le greffe Royal de Carentan, confirmant le jugement des Commissaries l'an 1625, et re-habilitant le derogé."³

In the "Recherches de Nobles de la Generalité de Caen," by Chamillard, about 1655, the

¹ Ogilvy, Nobiliaire de Normandie, Introduction, p. xx.

² D'Allegre, p. 70, Art. 164.

³ Ogilvy MS. Collections, Fortescu.

Fortescues are thus mentioned.¹ I cannot identify all of them with those which have been met elsewhere:—

Election de Vire. Ancienne Noblesse.
Sergeanterie de Jean le Blanc.
Jacques de Fortescu. Paroisse, le Pleffis-Grimault.

Election et Sergeanterie de Carentan.
Ancienne Noblesse.
Leonor de Fortescu. Paroisse, Mefnil-Angot.
Jean de Fortescu. Idem.
Jacques de Fortescu. Idem.

Election de Carentan, Sergeanterie du Hommet.
Michel de Fortescu. Paroisse, Le Defert.

Election de Valongnes, Sergeanterie de Valongnes.
Tanneguy de Fortescu. Paroisse, Alleaume.

Election de Bayeux, Sergeanterie d'Isigny.
Ancienne Noblesse.
Marc-Antoine de Fortescu, de Maistry.

The Fortescues of Saint Marie du Mont formed another branch, nearly allied to the feigneurs of St. Evremont. St. Marie du Mont is a parish situated on the shores of the estuary through which the waters of the Douve and Vire flow into the sea north of Carentan.

Our principal knowledge of them is drawn from a document which was lately bought for the British Museum, being a "chartrier" or rental of the estate of "Richart Fortescu, escuyer, Seigneur du Buiffon, feant en la paroisse de Sainte Marie du Mont." It was drawn up not later than the year 1463, probably several years earlier, and contains copies of conveyances of land by his ancestors, both by purchase and by lease, as early as the year 1365. From this, and from other notices in corroboration, I have deduced some particulars of what would appear to have been one of the most prominent of the numerous families of the name clustered together in the Cotentin, in the furthest part of Lower Normandy, more closely, and in greater numbers than were their English cousins in the most southern promontory of South Devon.

¹ Registre de Chamillard pour les Recherches des Nobles de la Generalité de Caen (Preis-Mark. Brit. Mus. 4581. Plut. L. I. D.), folios 40, 59, 61, 74.

Pierre Fortescu¹ married, not later than 1350, Guillemette aux Espaulles, daughter of Guillaume aux Espaulles, Chevalier, of the parish of Sainte Marie du Mont.

His son Jean gives the following receipt in 1370 :—

“Jehan Fortescu escuier du fort de Neauhou si comme il disoit confesse devoir a Richart Segoniz demourant a Roan la somme de quarante franz d’or a luy prestez, tous fes pour et en nom de Mons. Guillaume aux Espaulles, Chevalier, Capitaine du dit fort, et son oncle.”²

In A.D. 1375, in the reign of Charles V. of France, Guillaume Fortescu, together with Guillaume aux Espaulles, Captain of Nehou, and Jean, Sire de Gouhenans, was a prisoner with the English at Saint Sauveur le Vicomte. They were all three ransomed by the French King as a condition of the evacuation by the English of that fortress. Fortescu’s ransom was five hundred francs.³

The name of Neauhou occurs in the Chartrier, it is situated north of St. Sauveur.⁴

This John was seized of the following fiefs,⁵ namely :—Franquetot in the parishes of Quetreville and Coignies, Mons in the parishes of St. Marie du Mont and Brucheville, held direct from the King by the sixth part of a “fieu de Haubert.” These two fiefs he inherited from his forefathers, while he also held the fief of Hubertville in the parishes of Hubertville and St. Germain en Tournebu, in right of his wife, Guillemette du Hommet, sister of Jean du Hommet, Chevalier, Seigneur de la Varanquerie; and he purchased, in the year 1365, the fief and Vavassorie of Buiffon in Saint Marie du Mont, with a watermill in the next parish of Brucheville.

Jean Fortescu du Buiffon was living in 1403, as by this certificate appears :—

“Je Jehan Fortescu escuier Seigneur du fieu de Picot affiz a Franquetot es paroisses de Quetreville et de Coignies, tesmoigne et certifie que Jehan Anquetil fut mon prevost en dit fieu en l’an mil ccij^{xx} et six (1366). Tesmoing mon scel cy mis le x jour de Septembre l’an mil cccc et trois.”⁶

The name of Anquetil occurs frequently in the Chartrier of Richart Fortescu; the full title of which document is as follows :—

“Cest le Chartrier ou sont les rentes de Richart Fortescu escuier Seignour du Buiffon, et les tenans du dit fieu en la maniere qui ensuit fait et ordonne.”

¹ Chartrier de Richart Fortescu, folio 16.

² Archives de la voute du Palais de Justice a Rouen Reg. 3, folio 76.

³ Delisle’s *Histoire de Saint-Sauveur*, pp. 233 and 262. Nehou and Neauhou are the same place.

⁴ Chartrier, folio 22. ⁵ *Ibid.*, folio 55, et seq. ⁶ Cabinet de Titres, Imp. Lib. Paris, Dossier “Fortescu.”

Richard Fortescu held his fiefs, some directly from the King, some from other lords.

The tenants are numerous, and the holdings, which are given in acres, vergies, and percques, are generally small.

This Richard succeeded his father, and must have lived to a good old age, as he was alive in 1464.

The Chartrier will be found printed in full at the end of this volume, and the annexed fac-similes of part of its contents will give the reader an idea of the appearance of the manuscript.

The descendants of Richard Fortescu still held the fief of Buiffon in 1540. In that year Guillaume Fortescu Sieur du Buiffon, is on record as a benefactor to the parish church of Sainte Marie du Mont. I have taken the foregoing from the "*Mémoires de la Société des Antiquaires de Normandie*,"¹ which also has a notice on that parish as follows:—

"About the year 1380, next to the Aux Espaulles, the three principal families of the parish of St. Marie du Mont were the Beaugendres, the Fortescues, and the Osberts. These three noble houses, together with the lords of the place (i. e. the Aux Espaulles), joined in building the tower of the parish church.

"The old people of the parish relate that the Fortescues (who lived in the quarter called Poupeville) contributed also towards the erection of the steeple. Their family vault is in the South transept, next to that of the Beaugendres. On the stone slab which covers it are these words, 'Cy gist Noble Demoiselle Catherine Fortescu,' &c. Her wooden coffin escaped defecration in the Revolution, and may still be seen in its original place in the vault."

The Fortescu arms, cut in stone, were on one of the angles of the church tower until that time of destruction.²

The arms of Richart Fortescu of St. Marie du Mont are given differently by two authorities, one in the Imperial Library, of 1464, with a drawing, assigns to him and to Tristain Fortescu of Mefnil-Angot, a single bend azure on a field argent, thus approaching the English coat. The other in the Cotton MSS., without date, gives him the more usual three bends azure, on a field argent.³

In the first half of the fifteenth century Mariette de Fortescu of Sainte Marie du Mont married Charles de Beaugendre of the same parish.⁴

¹ Published yearly at Caen since 1824. The same paper gives also the usual tradition of the Fortescues and William the Conqueror.

² St. Allais, *Nobiliaire Universel*.

³ Abstracts from Deeds on Vellum, Imp. Lib., and Cotton MS. Tiberius, *Armorial de Normandie*.

⁴ Ogilvy, *Nobiliaire de Normandie*, 120.

In 1469 we find in the Archives du Chapitre d'Angers, "Fortescu (Jean) Seigneur de la Guichardiere avou a tenir en foy et hommage simple de noble homme Jacques le Veneur ecuyer Seigneur de la Boissoniere et de Mirmonde, a cause de sa seigneurie de Mirmonde, un fief assis au dit Mermonde, avec tout ce qui en dependoit par acte passé le 13^e Septembre, 1469, delivrée vers la fin par vetusté. Arch. du Chap. d'Angers, feneft. 11. Pruns aveux tome i. fol. 9."¹

There are several other notices of Fortescues in Normandy relating to persons whom we have no means of assigning to their proper place or branch in the family; for example, in 1419-20, there is a Norman Roll of 7th Henry V., dated from the Camp at Gisors, October 4, 1419:—

"De dote concessâ Hugonæ, or Hugnetæ, Fortescu viduæ, quæ fuit uxor Gullielmi le Taneur defuncti," &c., &c.²

In 1420-21 there is another:—"De officio venandi lupos concessio Johanni Fortescu."³

Richard Fortescu, with Thomas Duthill, is commissioned in 1428, on the 2nd of December, by the Lords Suffolk, Talbot, and Scales, to pass in review the mounted archers and men-at-arms of William Glasdal, bailiff of Alençon, serving at the siege of Orleans. This, however, may be Sir Richard of Ermington and Ponsbourne.⁴

In 1429, dated Rouen, March 8, is a warrant to pay Messire Guillaume Fortescue Chevalier, two months' pay for himself, three other men-at-arms, and twelve mounted archers under the command of the Earl of Suffolk.⁵

The arms of the Fortescues of Normandy, while they differ from those of England, do not vary in a greater degree than is consistent with their common origin.

M. de Magny thus describes them: "La maison de Fortescu en Normandie porte de toute ancienneté un Champ d'Argent, a trois bandes d'azur: Timbre, Casque de Chevalier a l'antique, surmonté d'une Couronne fleuronée de Treples; Crie d'armes, et de nom comme Chevalier, Porte-guidon, ou Banneret, 'Fortescu'; L'escu echanchré a dextre." The shield is in general *argent with three bends of azure*, and this is the form of the earliest Fortescue coat, Norman or English, known to the writer, namely, one attached to a deed of A.D. 1363, already mentioned, relating to Jean Fortescu and Rogier Avernoy. Underneath the shield is written, "Fortescu escuyer, Seigneur du dit lieu, Chefne, du Tailles, Beauregard, Launay, Comté de Caen, Election de Bayeux."⁶ The Chevalier Guillaume Fortescu, killed at Azincourt, bore the same arms.

¹ Abstracts of Deeds on Vellum, Imp. Lib.

² Carte, Norman, Gascon, and French Rolls in Tower of London; Norman Rolls, vol. i. p. 316.

³ Ibid., p. 357.

⁴ Catalogue of Additional Charters in Brit. Mus., vols. i. and ii.

⁵ Ibid., iii. 3.

⁶ See p. 456, and the Appendix to this chapter; also Abstract from Deeds on Vellum, Imp. Lib.; Cotton MS.; Tiberius; Armorial de Normandie; Nobiliaire de Normandie, A.D. 1688, perfectionné par Dubuiffon.

Angart de
 fort est un de
 de marie du mont
 d'argent fols bendis
 d'azur



Fortescu du Chesne, Tailles,
 Beauregard, etc etc. 1363
 Guillaume Fortescu. Killed at Agincourt 1415.
 Richart Fortescu, Seigneur Du Buisson,
 et de St Marie du Mont 1464.
 (See Cotton MS Tib D II Fol 76.
 Deeds on Vellum Imp. Lib Paris
 "Azincourt" by De Belleval



Jacques Joseph de Fortescu
 Sieur de Tailly
 (Arm. Gen. Cabinet de Titre)



Fortescues of England.



Fortescu Seigneur de Corainville, etc
 Election de Bayeux.
 (Nobiliaire de Normandie.)



Tristain Fortescu
 du Mesnil - Angot, A.D. 1464
 (Deeds on Vellum Imp Lib)

Sometimes we find the colours of the shield and bends interchanged by the same branch of the family ; *e.g.*, when Jacques Joseph de Fortescu, Sieur de Tailly,¹ bears on a field azure three bends argent—Tailly being, no doubt, another form of Tailles, or Taillis.

A wider departure from their original shield appears in the same family in 1666—in the Nobiliaire of M. de Saint Allais, when “Fortescue Ecuyer, sieur du dit lieu, des Chefnes, du Taillis, de Beauregard, de Launay,” &c., maintained Noble in that year, registers his arms as “Three bends *gules* on a field argent.”

Another variation is that noticed already in the case of Richard Fortescu of Sainte Marie du Mont, and Tristain Fortescu of Mefnil-Angot, who, in some instances, took a single broad bend of azure on an argent field in place of the three narrow bends.

The step from some of these coats to the English coat is not greater than from one of them to the other. The central bend is widened, and indented or engrailed, so far losing part of the ancient characteristic of simplicity ; the lateral bends are contracted into bendlets or cotises, and these last are coloured in gold.

It was by differences of this kind that brothers, or the descendants of brothers, were in the habit of distinguishing themselves from their relatives.²

It is worthy of note that, although the coats of arms borne by the French Fortescues are all of a more ancient type than that usually borne in England, there are traces of a simpler form having once existed in this country. The arms of Fortescue of Preston or Pruteston, now extinct, were a bend, not engrailed, cotised ; and a Fortescue shield, of a house not specified, occurs in a MS. collection of the seventeenth century, as “a bend between two bendlets azure ;” and in Burke’s “General Armoury,” we find : “Fortescue, azure, a bend cotised argent”—though without reference to the branch which thus bore the shield.

It is probable that the communications between persons of the name on both sides of the Channel were not unfrequent—first, during the time when the Kings of England were also Dukes of Normandy, extending to King John’s reign in 1204, a period of about one hundred and forty years from the Conquest ; and afterwards in the French wars of the middle of the thirteenth century, and in the conquest of Normandy by Edward III. (1346), approaching to the date of the earliest Fortescu coat of arms that we have met with (1363) ; and French and English Fortescues may easily have met in the Crusades ; for we know that some of the name from both countries joined in those expeditions.

The remarkable seal which has been figured at page 172 of this family history, and which can hardly mean anything but an intermarriage between a French Fortescu and a daughter of the name in England, likewise points to intercourse between the two widely-separated lines.

¹ Armorial Général de Normandie, Caen ; Cabinet de Titres, Imp. Lib. 388, f. 93 ; and Nobiliaire Universel de la France, Saint Allais, Paris, 1815, vol. vi. p. 99.

² Boutell’s Heraldry, 1864, p. 175.

Possibly a daughter of Sir John Fortescue, Governor of Meaux in 1422, or of Richard Fortescue of Ermington, who passed into Normandy in 1443, may have married Richart Fortescu of Sainte Marie du Mont, or another Richart,¹ mentioned in a certificate given at the Cour d'Affizes at Evreux in 1453, as having left Normandy.

We find one instance where a Fortescu took an escutcheon quite different from the rest of the family:—

“Bureau de Saint Lo. Charles de Fortescu escuier Sieur de Langlé. D’or, a une epee de fable en pal et sur trois ecussions d’argent brochant sur le tout.”²

M. de Magny states that, “in certain mural paintings of the fifteenth century—(he does not say where they are to be seen)—the Fortescue shield is shown with a notch in the dexter chief.” This was intended to allow the lance when in its rest to pass through.³

The crest was not always the same. Monsieur de Magny gives it as “a knight’s helmet crowned and wreathed with trefoil;” but the Norman seals which I have seen have for crest a mastiff’s, or it may be a lion’s head,⁴ between two wings.

In some fragments of seals in the Imperial Library, traces are visible of other crests, differing from both the former.

The woodcuts of A.D. 1403 and A.D. 1429 here given are examples, the first of the more usual crest, and the other of an imperfect crest differing from it; both are from the Clairembault Collection in Paris.



FORTESCU, A.D. 1403.



FORTESCU, A.D. 1429.

In England the crest, from the first which has been found, early in the sixteenth century, to the present time, is uniformly an heraldic tiger passant, the only change in detail which has occurred being the addition, some time in the last century, of a small shield in the tiger’s paw, introduced by Earl Fortescue and the Earl of Clermont and others, and still used by their descendants.

The motto belongs to the class technically styled “canting,” as being a play upon the surname. We do not know when or by what member of the family it was first adopted,

¹ See the Certificate in Appendix.

² Imp. Lib. Paris, Armorial Général de Normandie, Caen; Cabinet de Titres, vol. 388, fol. 93.

³ Boutell’s Heraldry.

⁴ De Belleval, Azincourt, arms of Guillaume Fortescu, p. 193.

though probably it was taken not later than the beginning of the sixteenth century. Westcote, in his "View of Devonshire," writing, at the close of that century, upon the Wimpstone Fortescues, says that "Forte scutum salus ducum" is the "posy" of that name,¹ showing that it was then in established and general use.

It must be remembered that, in former times, the motto—or, as the French call it, the "cri d'armes"—was not constantly the same from father to son, but each chose what pleased him. The heralds took little if any notice of the motto. It is not once mentioned in all the Visitations of the family which I have examined, although they contain very many coats of arms.

Sir Adrian occasionally used the words "Loyall Penfe;" and his son Thomas places "A virtute orta occidunt rarius" over his arms.

The French families, according to M. de Magny, took the words of their name, Fort Ecu, as their motto.

APPENDIX TO CHAP. XVI.

A.

Courois Notaire à Saint-Jean de Daye, Chef-lieu de Canton (Manche).

Au très honorable Lord de Fortescu.

Comme notaire de la famille de Fortescu j'ai l'honneur d'exposer au très honorable Lord de Fortescu, ce qui suit.

Georges de Fortescu, né à Graignes, canton de St. Jean de Daye le 4 Juillet, 1790, fils de Georges François de Fortescu ecuyer, est parti de Graignes à l'âge de 20 ans pour le service militaire.

C'était au moment des guerres du premier empire. Depuis cette époque la famille très inquiète n'avait pas reçu de ses nouvelles, lorsque l'année dernière une personne étrangère est venue prendre des renseignements sur la famille de Fortescu, et a révélé le décès à Londres d'un de Fortescu que l'on supposait être né en Normandie.

Cette révélation a nécessairement fait supposer que ce de Fortescu pourrait bien être Georges.

Ce qui ajoute au raisonnement de cette supposition, c'est que comme je l'ai déjà dit, Georges de Fortescu faisait son service lors du passage de l'Empereur Napoléon premier en Angleterre. Si Georges de Fortescu n'est pas mort, sa famille serait excessivement heureuse de connaître son existence et de pouvoir se rappeler à ses souvenirs.

Si, au contraire, il est décédé, il est important pour elle de savoir à quoi s'en tenir sur sa succession.

J'ai pensé, très honorable Lord, que par vos hautes et importantes fonctions, vous pourriez rendre

¹ Westcote's Devonshire; Exeter, 1845, p. 394.

un eminent service à la Famille de Fortescu en lui faisant découvrir à Londres Georges de Fortescu, ou en lui faisant connaître sa succession dans le cas de décès.

Je m'adresse à vous avec d'autant plus de confiance, que la Famille de Fortescu est l'une des plus nobles et des plus anciennes de la Normandie ; je dirai même que vos ancêtres doivent être nés en cette province qu'ils ont du quitter lors de la conquête de l'Angleterre par Guillaume le Conquérant (vers l'an 1060).

J'ajouterai que l'an dernier aussi, l'un de vos regisseurs est venu dans notre pays pour rechercher si la Famille de Fortescu était bien la vôtre, il dit que si cette Famille avait besoin de vos services vous vous empresseriez de les leur rendre.

Aussi, très honorable Lord, je compte sur votre extrême bienveillance et votre haute influence pour bien vouloir faire en sorte que la Famille de Fortescu sache à quoi s'en tenir, soit sur l'existence soit sur le décès de Georges de Fortescu.

J'ai l'honneur d'être, avec le plus profond respect,

Très honorable Lord, votre très humble serviteur,

COUROIS,

Notaire a St. Jean de Daye, arrondissement de St. Lo,
Département de la Manche, Normandie, France.¹

B.

Es Affizes d'Evreux tenues par nous Pierres Duval, lieutenant general de noble homme Robert de Floques escuier confillier du roy notre seigneur et son bailli du dit lieu d'Evreux le Samedi tiers jour de Novembre continues du Lundi xxix jour d'Octobre precedent premier jour des dits affises l'an mil cccc et cinquante trois, se comparu Girault de Monteniral, sergeant du roy, notre seigneur en la sergeuse de a Bonneville, disant que pieca² Jehan Gendon, viconte du dit lieu d'Evreux lui avoit baillit a cueillir l. livres T. venir tuis au prouffit du roy, notre dit seigneur cest assavoir trente folz Tournois en quoy Richart Fortescu, escuier, avoit este mis en amende vers Jehan du Busc semblablement escuier, et vingt folz Tournois en quoy Thomas Chauceller avoit pareillement este mis en amende vers Messire Thomas Guillotin prestre, et Guillem du Mesnil, icelles amendes par nous tausees pour les termes de Touffaints iiij^e li. et assencion ccclij. Des quelles amendes le dit sergent navoit peu aucun chose avoir ne recouvrer combien que de ce il eust fait tout devoir et diligence parce que le dit Fortescu et Chauceller estoient absens et hors du pais de Normandie et navoient aucuns biens meubles ou heritaiges sur quoy le roy, notre dit seigneur peult estre paie. Et ne autmoins le dit viconte voullu contraindre le dit sergeant icelles sommes paier requeroit sur ce provision de justice et que de ce que dit est information feust fait a tel fin que de raison pour que non eussions fait venir devant nous Jehan de Vienne, Laurence Coulle, Colin Note, Nicolas le Charier, Jehan Langlois, et plusieurs autres congnoissants les dits Fortescu et Chauceller estoient absens et hors du pais et navoient aucuns biens meubles ne heritaiges au dit pays de Normandie ne ailleurs dont ilz eussent congnoissance, et mesures

¹ There is no date to this letter. It was addressed to the residence of the Right Honourable Chichester Fortescue in the first week of November, 1867 ; but was evidently intended for Lord Clermont, for whom M. Ogilvy, referred to as "regisseur," made his journey to Normandy.

² Sic in MS.

que de recouvrer le partement des dits amendes le dit de Monteniral avoit fait toute diligence. Veu laquelle rapport, par ladvis et conseil des abfistes de la court, donne fu en mandement au dit Viconte que des sommes dessus dites il tiengne quiet et paisable le dit du Monteniral. Donne que dessus.

C.

A List of Deeds contained in the Imperial Library, Paris, which relate to the Fortescues of Normandy, communicated by Monsieur Leopold Delisle, October, 1879.

Depouillement des 31 pièces qui composent le dossier Fortescu du Cabinet de titres.

1. No. du dossier 27,126.
2. 1363. Vente faite a Jehan Fortescu escuier par Rogier Auvernoy de Marchesieux.
3. 1366. Montre de Jehan Fortescu.
4. 1366. 9 Juin. Quittance de Jehan Fortescu.
5. 1379. 29 Jan. Quittance de Jehan Fortescu.
6. 1400. 28 Nov. Quittance de Jehan Fortescu, capitaine du Pont d'Ouve.
7. 1379. 18 Mar. Revue de Jehan Fortescu.
8. 1388. 18 Mar. Quittance de Jehan Fortescu.
9. 1398. 7 Oct. Ordre des trésoriers du roi de payer les gages de Jehan Fortescu.
10. 1399. 23 Jan. Quittance de Jehan Fortescu.
11. 1403. 10 Sept. Quittance de Jehan Fortescu.
12. 1403. 2 Fév. Quittance de Guill. Fortescu, fils de feu Jehan Fortescu.
13. 1404. 6 Juin. Quittance de Guillaume Fortescu.
14. 1420. 30 Avril. Mandement des gens des comptes relatif à l'hommage que Jehan Fortescu avait fait au roi [d'Angleterre].
15. 1424. 4 Juill. Acte rédigé au nom de Jehan Fortescu, escuier, garde du scel des obligations de la Viconté de Cherbourg.
16. 1429. 3 Avril. Quittance de Jehan Fortescu capitaine de 4 lances, &c.
17. 1429. 1 Sept. Acte rédigé au nom de Jehan Fortescu chevalier garde du scel des obligations de la Viconté de Valognes.
18. 1430. 4 Fév. Acte rédigé au nom du même.
19. 1432. 30 Avril. Acte rédigé au nom du même.
20. 1432. 2 Nov. Acte rédigé au nom du même.
21. 1436. 18 Août. Acte rédigé au nom du même.
22. 1437. 6 Juill. Acte rédigé au nom de Jehan Fortescu chevalier.
23. 1443. 10 Juill. Acte rédigé au nom de Jehan Fortescu chevalier.
24. 1446. 23 Juin. Acte rédigé au nom de Jehan Fortescu chevalier.
25. 1446. 30 Juin. Acte rédigé au nom de Jehan Fortescu chevalier.
26. 1447. 30 Sept. Acte rédigé au nom de Jehan Fortescu chevalier.
27. 1448. 2 Janv. Acte rédigé au nom de Jehan Fortescu chevalier.

¹ The original is in the Cabinet de Titres, Paris, Dossier "Fortescu."

28. 1448. 3 Fév. Acte rédigé au nom de Jehan Fortescu chevalier.
 29. 1453. 3 Nov. Acte mentionnant une amende encourue par Richart Fortescu, esquier, du baillage d'Evreux.
 30. 1509. 31 Oct. Acte mentionnant Nicolas Fortescu, esquier, Seigneur de la Vieulle Court de la parroisse du Mesnil Angot.
 31. 1512. 4 Nov. Acte mentionnant le même.

Volume 48 des Titres Scelles de Clairembault.

- P. 3620. 1380. 1 Juillet. Revue de Jehan Fortescue à Carentan.
 P. 3621. 1380. 18 Juill. Quittance du même.
 P. 3622. 1380. 1 Fév. Revue du même.
 „ 1385. 1 Nov. Revue du même.
 P. 3623. 1380. 23 Août. Quittance du même.
 „ 1380. 25 Oct. Quittance du même.
 „ 1380. 28 Dec. Quittance du même.
 „ 1388. 20 Juin. Quittance du même.
 P. 3624. 1415. 22 Juill. Montre de Guillaume Fortescu à Valognes.
 P. 3625. 1388. 20 Sept. Quittance de Jehan Fortescu.
 „ 1388. 5 Sept. Quittance de Jehan Fortescu.
 „ 1419. 31 Mai. Quittance de Pierre Fortescu.

Volume 76 des Titres Scelles de Clairembault.

- P. 5978. 1420. 24 Août. Montre dans laquelle figure Pierre de Fortescu esquier.

Volume 102 des Titres Scelles de Clairembault.

- P. 7926. 1415. 2 Sept. Revue dans laquelle figure Jehan Fortescu, esquier.

D.

Deed of sale by Rogier Avernoy of Marchesieux to Jehan Fortescu, esquier, A.D. 1363.
(Bibliothèque Nationale, Paris, Dossier "Fortescu," No. 2.)

A toutz ceulx qui ces lectres verront ou arront Estienne de Senechars (?) garde du scel des obligations de la viconté de Saint-Sauveur-Lendelin salut. Sachent toutz que par devant Jehan Audeney clerc, tabellion juré et establi quant ad ce fut présent Rogier Avernoy de la paroisse de Marchesieux qui recognut de sa bonne volentez quil avoit vendu quittié et deleffié à fin de héritaige de Jehan Fortescu, esquier un cappon danuel rente au terme de Noël a prendre et a avoir par la main dudit Rogier et de ses hoirs et offre pour ce justice sur toutz ses biens meubles en quelconque lieu q'eulx soient par le sergeant Royal ou sans sergeant par voie d'excécution (*mots rongés*) dit Rogier en ait fait courvée et assiète aillours en lieu souffiesant sanz nul déchié laquelle courvée ledit esquier fera (*mots rongés*). Et fut faicte ceste vente pour un flourin d'or (*auchat* ?) quatre deniers Ledit Rogier suivant ce que a esté dit

par ledit tabellion. Pourquoi il promist que luy ses hoirs font et seront tenus audit escuier et à ses hoirs, ladite rente garantir, délivrer et deffendre vers touz et contre touz ofter de touz empeschemens ou aillours à la value eschange se mestier en estoit, fournir et faire paier ou paier de foy sanz nul déchié et sans améniser. Et quant a ladicte rente paier et rendre cestuy an audit écuier et à ses hoirs par voie d'exécution jusques a tant que Courvée et affiete en soit faicte comme dit est. Lediçt Rogier obligant foy et ses hoirs et toutz lour biens meubles et héritaige présentz et a venir ou que y soient a vendre et a despendre par la Justice et pour deffaute de ce entresigné. Et pour payer couz, mises et despens qui en feroient faiz. En tesmoing de ce, nous, à la Rellacion dudit tabellion avons mis à ces lectres le scel dessus dict. Sauf aultruy droit. Ce fut fait lan de grace mil ccc soixante et troys, le lundi de la feste de la Saint Martin destey.

PHELIPPOT AUDRY.

E.

Certificate of the homage done by Jean Fortescu, escuier, to King Henry the Fifth of England on the 13th of April in the 8th year of his reign, 1420.

A tous ceulx qui ces lectres verront ou arront. Massion Lefevre chevalier, garde des obligations de la viconté de Carenten Salut. Savoir faisons que Guillaume Mollet Clerc tabellion juré et commis soubz Pierres Darot, tabellion de Carenten, nous a tesmoingnié et relaté soubz son signe manuel avoir veu, leu mot après mot et diligemment regardé un mandement de Messieurs les gens des comptes du Roy nostre Sire, en la duchié de Normandie, signé en marge de trois de leurs signes fain et entier en signe et en escripture contenant la fourme qui ensuit. Les gens des comptes du Roy nostre Sire, ez la duchié de Normandie au baillis de Costentin et aux vicontes d'icellui bailliage et à chascun des autres justiciers et officiers dudit Seigneur ou à leurs lieutenans salut. Il nous est apparu par un brief du roy nostre Sire, donné le xiii^e jour d'Avril lan viii^e de son règne, lequel nous avons retenu en la dicte chambre que Jean Fortescu, escuier lui a fait l'hommage que tenu lui estoit faire à cause et par raison de ses héritaiges rentes et possessions et pour en baillier son adveu et dénombrement par escript, lui avons donné et donnons par ces présentes, terme, respit et sousfrance jusques à la Saint Michiel prochain venant. Sy vous mandons et a chascun de vous si comme a lui appartendra que ledit écuier vous faites, souffrir et lessiés jouir paisiblement de ses ditz héritaiges, rentes et possessions sans sur ce lui donner aucun destourbier ou empeschement pour cause dudit hommage non fait et dénombrement non baillié pendant ledit temps pourveu toutes voies quil ny ait autre cause raisonnable dempeschement pour quoy faire ne le doies. Laquelle se elle en estoit nous réservés¹ affin. Donné à Caen le derrain jour d'avril lan mil quatre cens et vingt. Ainsy signé H. le Veu. En tesmoing de laquelle chose, nous garde dessus diz, avons scellé ces présentes lectres de vidimus du scel dessus dit à la relacion dudit tabellion sauf autre droit. Ce fut fait le xxviii^e jour de May lan de grace mil quatre cens et vingt.

MOLLET.

¹ Thus in the original.



APPENDIX.

See Page 2.



THE Fortescue family, although of ancient standing, and with many branches from its original stem, does not appear to be at present very numerously represented. The name is not of very common occurrence, nor very widely spread. Even in Devonshire, the earliest seat of the race in England, on searching the "Gazetteer" of Devon for 1879, we find only eight householders so denominated. Of these, five are county magistrates, two are beneficed clergymen, and one is a solicitor. The lists of all other professions and trades do not contain the name; nor does the very long list of more than 2,800 farmers. If we turn to the "London Post Office Directory"—probably the largest collection of surnames contained in any single volume, and admitted to be a fair test of the relative frequency of occurrence of most surnames in the kingdom at large—its issue for 1878 will show nine entries in the so-called "Court" section, while the "Commercial" section gives seven occurrences of the name.

The readers of this volume may have remarked several variations and corruptions in the mode of spelling the name. I have noted in print all those in the list below, some of which denote differences also in the mode of pronouncing it.

The original form of Fort-escu, common to the Norman and English families to the end of the sixteenth century, has been changed by shortening, lengthening, or distorting it into—

Fortescue	Forkefkewe
Fortesque	Forkew
Forteskue	Forescu
Forteskewe	Foscue
Fortesquiew	Foscu
Forteskew	Foskew
Fortescugh	Faskie
Fortescut	

I have met with all these variations in printed books; the last in Nichols's "Diary," printed by the Bannatyne Club in 1836, the person intended being Sir Faithful Fortescue, then with Charles II. in Scotland.

See page 3.

Affisa de morte antecessoris, referred to at page 3.

Anno i. John. Devon. A.D. 1199.

Affisa de morte antecessoris inter Johannem De Reini petentem et Willielmum filium Baldwini tenentem de una carucata terre cum pertinenciis in Brikestone ponetur in adventum justicie pro defectu recti. Quia Willielmus Bastardus et Robertus de Serehill, Alexander de Heuendū Robertus Eustac' Ricardus Fortescu non venerunt vel se esse et ideo attachientur, ideo dies datus est rectis qui venerunt. et nota quod Willielmus filius Baldeñ nil dixit quare affisa remaneat.¹

See page 5.

William Fortescue, of Wimston, as already said, married Elizabeth, daughter of John Bechamp of Ryme (by Margaret, daughter of John Whalifburgh), son of John, son of Sir Humphrey, son of Lord Robert Bechamp. John Bechamp married Alice, daughter of Sir Roger Novant de Cleft, Knight, by Isabella, daughter of Sir William Bonvill, Knight, son of Roger, son of Guido Novant, son of Roger, son of Baldwyn de Novant, brother of Dominus Henricus de Novant, both the sons of Roger de Novant.

The foregoing is taken from Sir William Pole's "Description of Devonshire," in the British Museum. Add. MS. 28,649, p. 455. He sometimes spells the last word in the above extract "Nonant;" but in Hutchins's "Dorset," v. 4, p. 394, and in Dugdale's Baronagium it stands as "Novant."

See page 10.

INSCRIPTIONS IN WOODLEIGH CHURCH.

(Copied from "Stemmata Fortescuana.")

On a marble stone upon the floor near the pulpit :—

"Here lyeth the body of Francis Fortescu of Wood Esquire who dyed the 6 and was buried the 7 day of April año Dom. 1649.

"Here lyes his dust but his best tombs fled hence
For marble cannot last like innocence.
And now his urne grows pure as was his mind
For good men only fall to be refined.
Stones are but weak preservers, his fall preft
More lasting toombes in the survivor's breast."

¹ Rotuli Curiae Regis, vol. ii. p. 201, Palgrave.

“Sacrum in Memoriam Petri Fortescu filii Petri Fortescu de Prutefton et Wood Baronetti et Amiaæ uxoris ejus qui inauditis et deploratis fingultibus vitam suam floridam pro beata Dei visione liberi mutavit. qui obiit 15 die Octob. et 16 ejusdem mensis sepultus erat anno Dom. 1676.

“Behold and mourn for in this church is led
A Twin—the heir of Fortescues’ is dead.
His Life run short with groans and with alarms,
He courted Death with sighs and doleful charms.
The World he scorned his Lordship and his Land—
He quits this Life to purchase Heaven in hand.
His soul’s above his Parents’ joy to sing,
Cœlestial prayfes to his God and King.
Mors mihi lucrum.”

See page 20.

Sir Nicholas Fortescu, Knight of Malta, travelled in Italy in the year 1638. The Reverend J. Orlebar Payne has obligingly communicated the following extract from the Strangers’ Book of the English College at Rome, which is of some interest, as showing that he and the poet Milton were guests together at dinner at that College on the 30th of October in that year, the Poet also being on his travels:—

“Ex libro Peregrinorum qui in Collegio Anglorum Romæ hospitio recepti sunt—

“1638.

“Die 30 Octobris pransi sunt in Collegio Nostro
Illustrissimus D. N. Cary pater Baronis de
Faukelande, Doctor Holdingus Lancastriensis,
D. N. de Fortescuto, et Dominus Miltonus cum
famulo, nobiles Angli, et excepti sunt laute.”

See page 27.

The following inscriptions in East Allington Church were copied in the church by the Author, on the 17th of June, 1879, too late for insertion in their proper place:—

“Here lyeth the body of S^r. Edmund Fortescue Knight and Baronett, who dyed the 30th of December Anno Domini 1666, ætatis suæ 24.”

“Here lie the bodies of S^r Sandys Fortescue, who dyed the 27 of October, Anno Domini 1683, ætatis suæ 23. And of Elizabeth his Lady who dyed January 19, 1682.”

On a slab in the floor of the nave, round a figure of a man—

“Here lyeth the body of Edmund Fortescue, Esq^r. sometime High Sheriff of the County of Devon. He departed this life the 21st of July 1624.”

On the east wall of south aisle, below two brasses thirty-two inches long, of a man and woman side by side—

“Here lyeth buried the bodies of John Fortescue, Esquier, and Owner his wife. Which John deceased the XXVth day of December a^o. 1595, being the age of LXX. years, and the said Owner deceased the — daie of — anno domini — being the age of — years.”

On the floor within the communion rails—

“Here lyeth the body of Elizabeth, widow of John Fortescue of Fallapit Esquire who was buried March 23. Anno Dom. 1663.”—(Copied from “Stemm. Fort.” p. 55.)

The following is part of an inscription on a large mural tablet on the south wall of East Allington Church, to Edmund Fortescue, Esquire, of Fallapit, and Mary his wife, and six of their children:—

“Mary, eldest daughter, was married to William Fortescue Esquire now Master of the Rolls, by whom she had issue Mary their only child, soon after whose birth she dyed on the first day of August 1710, in the 21st year of her age.”

The church and village of East Allington, four miles north-east of Kingsbridge, stand high above the house and park of Fallapit, which occupy the lower slopes of a wooded valley below. The house is a modern one, well represented in the woodcut, surrounded by grounds, where rhododendrons were in bloom at the time of my visit. The village is small, and some cottages are ruinous. Over the door of a very humble public-house hangs the sign of “The Fortescue Arms,” with emblazoned shield. The Fortescue estate in the parish was sold some years ago, and is the property of William Cubitt, Esquire. The church, standing high up on the hill-side, above the village, and of considerable size, is in the Perpendicular style.

See page 28.

In St. Saviour's Church, at Dartmouth, where the members of the Corporation attend, the arms of several of the former mayors are emblazoned on the panels of the galleries, among which is the Fortescue Coat. Probably it was a member of the Fallapit family who filled that office.

See page 50.

Norris, the supposed birthplace of Chancellor Fortescue, retains no traces of antiquity. The site of the old house is occupied by a small and very modern farm-house on the estate of Mr. Bowden,

of Butterford, in the parish of North Huish, about five miles north-east of Modbury. It stands deep down in a valley, near the banks of the Avon, and is approached from the church and village by a long lane, accounted steep and narrow even in Devonshire. Sir John Fortescue, a younger son of the Wimpstone House, married the heiress of Norris, whose possessions were separated by a few miles only either from the ancestral seat, or from Shepham (pronounced Shiphham), where Sir John had previously settled.

This last is now a farm-house, between Modbury and Ermington, to the north-west of the former; while Wimpstone lies near the Kingsbridge road, scarcely a mile to the south-east of Modbury. This last town was the chief place of the district where the Fortescues first established themselves, and whence several offshoots from the main stem became rooted. It is possible in a day's drive to visit the principal points thus made interesting to their descendants—namely, Wimpstone, Shepham, Norris, Wood, and Fallapit; and an excursion not longer to the west of Modbury would include two other ancient Fortescue seats, Spridleston, near Brixton, and Preston on the Newton-Ferrers road—the one on the west, the other on the east of the Yealm river and estuary.

Wimpstone House, a modern mansion, is the residence of Mr. Prettyjohn Pitts. The author, when calling there on the 18th of June 1879, was told by the lady of the house that the old Fortescue dwelling is said to have stood lower down the hill, on the ground now occupied by the farm-buildings. Nothing, however, remains to identify the spot, in accordance with Pole's statement 250 years ago, that "Wympton is utterly wasted." The name is spelt in various ways, as "Whimpton" in the Ordnance Map, "Wympton" in the *Gazetteer of Devon*; while both these are adopted by Lysons. "Wimpstone," a common form in the days of its Fortescue owners, has been used in the chapter of this volume devoted to its history. In early times we find also the forms "Wymondeston" and "Wymondsham."

See page 79.

The circumstance that Sir John Fortescue wrote this treatise while in exile at Barrois with Queen Margaret and Prince Edward limits the date of its composition to the period between 1464 and 1470. Although it was not printed for at least seventy years later, and must have been frequently copied in manuscript, only two copies are known now to exist—one in the British Museum, the other in the Cambridge University Library.

Edward Whitechurche first printed it in London, in 16mo. The volume is without date, but cannot be earlier than 1537, 28th of Henry VIII., when Whitechurche began to print. The title is as follows:—

"Prenobilis Militis cognomento Forescu, qui temporibus Henrici Sexti floruit, de politica administratione et legibus civilibus florentissimi Regni Angliæ Commentarius.

"Excusum Londini typis Edwarde Whitechurche et veniunt in edibus Henrici Smyth Bibliopole, cum privilegio ad imprimendum solum."

On the reverse of the title-page is this address to the reader:—

"*Pio Lectori.* Istius non minus pii quam eruditi opusculi exemplar nactus, quum antiquitatem venerandum, una cum eruditione ac pietate conjunxerit: non potui optime lector, aut patriæ tam ingratus, aut antiquitatis tam inofficiosus cultor esse, ut te illius lectione diutius fraudarem. Continet enim in se (ut cetera taceam) politicarum et civilium nostre Angliæ legum quibus preclara et florentissima hec respublica sub illustrissimo et nunquam satis laudato principe nostro Henrico octavo, ejusque progenitoribus regibus Angliæ hætenus felicissime fuerit erecta, instituta, et gubernata, doctissimum encomion. Unde easdem nostras leges non solum Romanorum Cæsarum sed et omnium aliarum nationum constitutiones multis parafangis prudentia, justitia, et equitate precellere facile prespicias. Eme ergo, lege, et fruire, ac labores nostros boni consule.

"Vale."

The first English translation was made by Robert Mulcaster, who printed it with the Latin text in Henry VIII.'s reign, in 16mo, without date or printer's name, giving also the above address to the reader from Whitechurche. Another edition of Mulcaster's work appeared with the date of 1567, and with the printer's name, thus:—

"Imprinted at London in Flete flete within Temple Barre, at the signe of the hand and starre by Rychard Tottill 1567."

A comparison of these two editions shows not only that the same types were used in both, but that they were both printed from the same "form," or setting-up. Numerous misplacements of single letters and figures occur, and some omissions; and it has been found that from the title to the end of the treatise they are in every case common to both, the tables of contents, however, differing in each. From this circumstance it will probably be considered certain that Tottell printed both editions, and with no long interval between them. If this be so, the first appearance in print of Mulcaster's translation, which could hardly have been before 1553, the 7th of Edward VI., in which year Tottell had a special licence to print,¹ may be referred to a date much nearer to 1567. The undated edition is not noticed by Watts or Lowndes; nor does the British Museum possess a copy of it.

Watts enumerates, in his "*Bibliotheca Britannica*," editions of "*De Laudibus*," in 16mo, in 1516,² 1567, 1573, 1575, 1578, 1598, and 1599, all with Mulcaster's translation; and in 1616, 1660, and 1672, editions in 12mo of the same text and translation, with an address to the reader and notes by John Selden, dated thus: "Farewell from the Inner temple, Sept. 24 1616"—the first without, the other with his name, signed below the date. To these three editions are added "The Two Sums of Sir Ralph de Hengham."

Of editions of "*De Laudibus*," in 12mo, with Mulcaster's translation, I have before me copies of the following:—First edition, no date, assumed, for the reasons given above, to have been printed by Richard Tottell, not long before 1567; editions in 1567 and 1573, printed by Richard Tottell; in 1599, printed by Thomas White and Bonham Norton, London; in 1616, for the Company of Stationers,

¹ Ames's *Typographical Antiquities*, vol. iv. p. 422.

² The date 1516 is certainly erroneous—neither Whitechurche nor Tottell printed for many years later, and they only were the early printers of the work.

London; in 1660, "By permission of the Company of Stationers, for Abel Roper at the Sun, against St. Dunstan's Church in Fleet Street;" in 1672, by John Streater, Eliz. Flether, and H. Twyford, assignees of Richard and Edward Atkyns, Esquires.

On some of the later of the above editions I find the following remarks in Nichols's "Historical Libraries:"—

"Mulcaster's edition being out of print, the Company of Stationers gave leave to one of their body to reprint it; but he published it in a very careless and slovenly manner: the literal faults, especially in the Latin text, are very numerous, and some of them such as most wretchedly pervert the author's sense and meaning."

We now come to the more modern appearances of the treatise. In 1737, Mr. Francis Gregor, of Trewarthenick, near Truro, published it with a new translation in small folio, with preface and notes, retaining also those by Selden; and in 1741 a second edition was published. Both these are without the editor's name.

In 1775 an edition came out in 8vo, with the name of "Francis Gregor, Esquire" on the title-page, being a literal reprint of the two former, without any new matter. These three editions include Hengham's two tracts. In 1825 Mr. Amos, a barrister of Lincoln's Inn, republished at Cambridge Gregor's translation, with notes of his own.

The next edition of "*De Laudibus Legum Angliæ*" is that included in Lord Clermont's complete edition of Sir John Fortescue's works, 1869, 4to, the Latin text being that of the MS. in the Cambridge University library, and the translation is Gregor's.

In 1874 an edition in 8vo was published at Cincinnati, in the United States of America, by Robert Clarke and Co. The Latin and English texts are the same as those in the last-named edition; and the sketch of the author's life is that prefixed by Lord Clermont to his edition, with some curtailments.

See page 132.

Hugh Fortescue, Esq., of Penwarne, was returned as Member of Parliament for Tregoney, January 12, 1688-9.

The latest mention of the Fortescues of Penwarne which has come under the notice of the author is on a mural tablet of white marble, referred to in the text, on the fourth wall of the choir of Exeter Cathedral, with the following inscription copied on the spot, June 16, 1879:—

"Matilda, Widow of the late Shuldham Peard, Esq., Vice Admiral of the White, eldest and only surviving daughter of William Fortescue, Esquire, of Penwarne, County of Cornwall, died May 26, 1847, aged 62 years."

See page 196.

"Our Will and Pleasure is that you cause our trusty and wellbeloved Sir James Bridgeman K^{nt}. to be forthwith sworne one of the Gentlemen of our Privy Chamber in Ordinary, and to be admitted to enjoy all Rights, Priviledges, and Preheminences belonging to that place. For which this shall be your warrant as soon as our family is settled.

"Given. Whitehall, May the 30th, 1660."

Here follows a list of twenty-nine names of persons appointed to the same office of Gentleman of the Privy Chamber; among whom that of "Sir Faithfull Fortescue" appears.

See the Egerton MSS. (Nichols's Papers) in the British Museum.

See page 314.

CAMERA STELLATA, DOMINUS GRAY.

[Arthur.]

The Lord Grey, of Wilton, being of the Order of the Garter, was brought from the Fleete where he and five of his men had been inprisoned in close Prison ten weekes and more for a rare and notable assault, riot & Battery by them committed primo die Decemb. last between Temple Bar and Sommerfet House, where the Queenes Ma^{ty}. and the Court then was upon John Fortescue, Master of the Wardrop, and Reader of the Greeke Tongue to the Queene, he comeing in open streete on Horseback with foot-cloth from the Wardrope towards the Court about 9 of the Clock before noone, and there the Lord Grey came out of a crosse bow makers shopp, where he and his servants had tarried an hower, and with a cudgell or Truncheon of Crab-tree, gave him the Bastinado, and felled him to the ground, and being on the ground was fore beaten and hurt about his head, and certain of his servants also, so that the blood ran over his face and eares, and so went straight all bloody to the Court, and was presented in that state to the Queene. But the Lord Grey by his answer to the Bill denied all such circumstances as did aggravate the offence, viz. lyeing in waite, conspiracies and premeditate malice on purpose to the Act, but confessed the bare fact to be done upon heat and for sundry former injuryes done to him and his by Fortescue before, And yet he made an humble submission to her Ma^{ty}., with request unto her of her clemency and Grace, and to the Lords of the Council, especially to them of the Order, to be suitors and meanes for him to her Ma^{ty}s. Highnesse and the Crowne, etc. And having been examined upon Interrogatories had answered to some but to divers that were not impertinent to the matter and suggestions comprised in the Bill, but were farr fett circumstances to aggravate the fault, he refused to answer and yet to some of them by the perswasion of the Court he then answered upon his fidelity, but he was not put to his oath then neither was he sworne upon to answer to the Interrogatories (*quod mirum fuit mihi*). Whereupon the Question was whether a Lord should be sworne in such a case, the Queene only being Party, to which I answered, in my opinion he should be, putting a difference in the case of Tryall by Peeres, or in the Chancery called by Subpœna at a subjects suite, where there by custome some have answered, without oath, and this case of Riot for the Queene, *Sed omnes magnates qui interfuerunt contradixerunt et Catlyn et Munson presentes nichil affirmabant. Et sic ad hoc*

sub judice lis est. But this notwithstanding the Court, upon his simple and bare confession of the riot, and at the request of the Queenes Learned Counsell, without replication or further prooffe for any aggravation of the Crime, proceeded to the Order and Decree, and did assesse upon him £300, and Ten poundes upon every servant that had answered and to pay it, where great favour and mitigation was used in respect of his good service done to the Queene and Realme, and his said Imprisonment and mean estate and behaviour to maintaine his countenance, and he and they Remitted to the Fleete, etc., where he remained untill the 11th day of May, next following, on which day he was releafed.

The foregoing is taken from Dr. Williams's Library, from "Letters of Eminent Persons," 3 vols. folio.

The transaction which led to this assault is narrated at page 314 of this volume. It appears, by a comparison of the foregoing statement with Sir John Fortescue's Complaint to the Council at page 324, that the outrage was committed during the night of November 30th and December 1st, 1573, in the 16th of Elizabeth. The assailant was Arthur Grey, 14th Lord Grey de Wilton. He was Lord Lieutenant of Ireland during the Earl of Desmond's rebellion in 1580, and was one of the Commissioners who condemned Mary Queen of Scots at Fotheringay. He died in 1593.

See page 429.

Anthony Fortescue, the "examinant" in the following papers, was the eldest son of Sir Anthony Fortescue, by Katherine, daughter of Sir Geoffrey Pole or Poole, of Lordington, six miles north-west of Chichester, in Suffex, and brother of Cardinal Reginald Pole. The "Aunt Poole," therefore, mentioned in the paper, was Lady Pole, wife of his great-uncle Sir Geoffrey Pole, who was then living at Rouen, probably as an exile from England, for he was returned in 1576 among those magistrates of Suffex who were suspected of favouring Popery and the Queen of Scots.¹

The person Braye, with whom Fortescue was suspected to have dealings, is mentioned in Strype's "Annals of the Reformation" as "William Bray, a common conveyer of priests and recusants, and of naughty books over the seas, and was taken carrying the Earl of Arundel over the seas."² This Earl was Philip Howard, eldest son of the Duke of Norfolk, and known to be a zealous Roman Catholic, who, feeling his liberty insecure in England, endeavoured to pass over to France, but was arrested when on the point of embarking from the Suffex coast, and committed to the Tower.³

George Fortescue, described as "sometime servant to the Earl of Southampton that last died," has been already mentioned as Sir Anthony's third son, and the entertainer at his country seat of King James I., in 1604. In those times the designation of servant did not necessarily imply a menial attendant; young men of the highest families often being retained by the great nobles to form their

¹ Strype, Annals, vol. ii. pt. 2, p. 22. Oxford, 1824.

² Strype, Annals; vol. iii. pt. 2, p. 600. Oxford, 1824.

³ Camden's Annals of Queen Elizabeth, in Kennet's History of England, vol. ii. p. 503.

suites, and to increase their consequence. In the present instance George Fortescue's Plantagenet blood did not prevent him from receiving an annuity from the successor of the Earl of Southampton, who was the son of Wriothesley, Henry VIII.'s chancellor.

THE EXACACON OF ANTHONY FORTESCUE GENT. TAKEN THE XXTH. DAYE OF APRILL 1585 BEFORE RICHARD LEWKENOR ESQUIER ONE OF HER MA^{TIES} JUSTICES OF PEASE IN THE COUNTYE OF SUSSEX.

1. 2. To the firste and second Interrogatories he faith that he hath knowen the said Braye by the space of halfe a yere or thereabouts, and the first acquaintance he hadd wth him was at his Aunte Pooles house, wiffe to his uncle Jefferey Poole, the then dwelling at Lurtingtone where this exa^{nt} now dwelleth.

3. 4. To the third and fourth he saith he hath hadd suspicion that the said Braye was a preest or Semynarie or futch lyke as well because he the said Braye used to reforte to the said house covertly, as also for that he hadd of late chaunged his name, but he knoweth him nott to be a preest Jesuyt or Semynarie.

5. To the vth. he sayeth the said Braye was at this exa^{nt}'s house aboute Shrovetide laste, and hath hard that he was there againe aboute the weeke before Easter.

6. To the vjth he sayeth the said Braye being at his sayde house the weeke before Easter aboute the thursdays in the same weeke as he remembreth the sayde Braye looking ill tolde him this exa^{nt} that he hadde bene longe sick of an ague and therefore desired that he might have a litle fleshe dressed for him, and so he hadd whereof he dydd eate, and sythens that tyme this exa^{nt} saw him nott.

7. To the vijth he sayeth he this exa^{nt} was at home all the weeke before Easter untill good frydaye, when he went from whome to Barrant and there tarried untill the Tewisdaye in Easter weeke.

8. To the viijth he saith that on thursdays before Easter or thereabouts the sayde Braye was at his house as he hath before sayde/ and further sayeth that on thursday in Easter Weeke laste his brother George Fortescue and one Feny or Fennell sumtymes servauntes to the Erle of Southhamptone that laste dyed, were at his said house & stayed there a meale or two, the certentie whereof he remembreth nott, and they went awaye the next morning. Butt from whens they came this exa^{nt} knoweth nott, and they sayed they wolde go from his house to Barrant or to Tythfelde to the executors of the sayde late Erle of Southampton to receyve their annuities then due, and afterwarde on Satterdaye laste there came this Exa^{nt}'s coosen Alexander Cufande to this exa^{nt}'s house and in his companye there came a yonge gentleman whose name this exa^{nt} knoweth not, and they went awaye from his house againe on Sondag laste after they hadd dyned.

9. To the ixth he saith that he spake nott wth the said Erle nor hard from him at anny tyme sithens his L. being here when he laye in Chichester, when the L. Barckley was at Chichester wth him, at w^{ch} tyme he this exa^{nt} hadd futch manner of enterteinement as that he hadd never fancye or lyking to cum unto him or to deale wth him afterwarde and sayeth and affirmeth precisely, that he dydd nott see the said Erle sythens the firste daye of the parlement when he the said exa^{nt} sawe the said Erle attendinge uppon her Ma^{tie}. he the said exa^{nt} then standing a farre of wth one Mr. Bythell of Winchefer.

10. To the xth this exaīat faieth he hadd no comunicacion or speetche wth the said Braye or anny others touthching the faide Erle at any tyme w^{hin} this monethe nor att anny other tyme wth in this halfe yere to his remembranns.

11. 12. 13. To the xjth xijth & xiiijth he faieth he hadd no manner of notice or understanding by anny meanes or from anny man in the worlde of the Erle his intencion to passe over the seas, neither was there anny cōmunicacion betweene the faide Braye & him touthching anny passage or travaile beyond the seas, faving that this exaīat dydd desire the faide Braye when he was laste with him before Easter to tell him this exaīat when or howe he might send sum token or remembrauns to his poore uncle Jeffrey Poole (lying in Roane as he thincketh) and for that purpose asked the faide Braye, whether he knewe of anny passage into those parties by anny man/ who awnswered he dydd nott then knowe of anny/ Butt sayde that he thought aboute fortnight thens he coulede send him sum token thither if he woulde.

14. To the xiiijth he faieth that on Thursdaye laste this exaīat seeing his man Baker and asking him where he hadd beene, he tolde him that M^r. Braye the daye before hadd required him the faide Baker to gyde him through the Forrest of Stansted & the faide Baker thereuppon going wth him and other that came wth him required him to ryde further wth them as farre as Porcheſter or Portesdowne or thereaboutes & so he dydd & there he lefte them, and they sent back two geldinges by him whereof he faide that the faide Braye hadd sent unto this exaīat one gelding w^{ch} he hadd promised to send him, and the other gelding he hadd geeven to the faide Baker.

15. To the xvth he fayeth that on Wedenefdaye laste this exaīat cōmyng from his neighbor M^r. George Gunter his house aboute x or xj of the clock at night he having beene there all that afternoone, his Coffen Edyth Cufande tolde this exaīat that the faide Braye, hadd beene there that afternoone & called for a cupp of beare butt stayed nott but went aweye presently/ and whether he hadd a cupp of beare or nott this exaīat cannott tell, butt marveled at his hasty departure thincking that he hadd hadd sum foddren or hasty occasion by reason of sum purſuite for or uppon sum matter of religion or for heareing of sum masse.

16. To the xvith he fayeth that one of the faide geldinges being sent to this exaīat he the sayde exaīat hath putt to pasture into Stansted parck, where he hyreth pasture for the same & others & the other gelding this exaīat caused the faide Baker to sell unto the faide Alexander Cufande this exaīates kinsman for fyve poundes w^{ch} this exaīat ought to the said Alexander w^{ch} fyve poundes this exaīat dydd sett oute uppon other reckoninges betweene him & the faide Baker.

17. To the xvijth he fayeth that he sent his faide gelding to graſſe by Robart Hamond, w^{ch} gelding wth one or two others of his naggs & his Auntes, he thincketh the said Robert Hamond dydd putt to graſſe uppon Sundaye in the after noone or mondaye in the morning, for so he this exaīat cōmaunded they shoulde be.

Further he being asked whether Baker or anny other dydd nott tell him, that Braye hadd moved him the said Baker or delt wth him beforeſaid to gyde him or to conduēt him or the sayde Erle, or anny other in anny vyage or journey or for or toward anny passage eyther to the sea or from the sea/ He fayde that the faide Baker tolde him aboute ſennight paſte that the faide Braye hadd ſpoken to him the sayde Baker at his laſte being at Lurtingtone before Easter to ryde wth him ſoure or fyve myles/ And further he confeſſeth that the sayde Braye at his being at this exaīates house ſpake to this exaīat and required him that he wolde geeve leave unto the said Baker to ryde fyve or ſixe myles wth the sayde Braye, when he shoulde have occasion to cum that waye,/ whereunto this exaīat fayde that the sayde

Baker hadd a nagg of his owne and shoulde or might ryde wth him if he needed, or wordes to futchē or lyke effect./

Moreover he being asked whether the faide Baker dydd ever tell him this exaiāt the names of anny of those he gyded or conducted wth the faide Braye.

He sayde that the fayde Baker dydd never tell him the names of anny of them more then of the faide Braye, Although he this exaiāt dydd verry ernestly inquire and aske of the fayde Baker the names of them and dydd also aske whether anny of the acquaintances of the said exaiāt, and the faide Baker awnswered verry directly and precisely that he knewe none of them nor the names of anny of them/ more then of the fayde Braye.

ANTHONY FORTESCU. R. LEWKENOR.

Endorsed:—20 April 1585.

Examinaõn of Anthony Fortescu.

THE EXAIACÕN OF ANTHONY FORTESCUE TAKEN THE XXI^JTH DAYE OF APRILL, 1585.

He being asked whether there were anny boddy that came unto him or was sent unto him wth anny manner of messāge or advertisement from anny person or persons on Frydaye or Satterdays laste. Whereunto he awnswered verry precisely and directly that there came no messenger or messāge from anny person or persons of anny sorte eyther servingman or other on Frydaye or Satterdaye laste eyther by daye or by night.

He being also asked at whatt tyme of the daye Braye and the reste came to his house on Wednesdaye in the Easter weeke, and howe longe they stayed there.

He awnswered that itt was betweene fixe and seven of the clock in the afternoone when they came thither or rather neare seven of the clock as he judgeth for that his wyffe tolde him the evening being in so as his wyffe being that daye sumwhat sickly looked oute of her chamber wyndowe & sawe the fayde Braye standing at the halle doore & thother standing at the pale of the courte, shee spake to the fayde Braye and desired him to staye untill this exaiāt her husband came, saying he was butt hard by at M^r. Gunters & that shee wolde sende for him bye & by, but the fayde Braye sayed he hadd greates hafte in his waye and coulde by no meanes stay/ but desired to have sum beare to drynck saying that so mutche they mought have hadd att anny straungers house if they hadd called for itt./ And this exaiāt asking his wiffe verry precisely & ernestly whether there were anny of his acquaintans amongest them or whether shee knewe anny of them, shee tolde him verry directly shee knewe none of them butt Braye, & thother standing at the pale shee coulde nott discerne their faces itt being sumwhat darck.

On Mondaye he protested he never hard of the Erle his apprehension untill that morning after he came to Chichester.

He being further asked whether Robert Hamond, came to Chichester wth him or to him on Satterdaye last and what newes he brought wth him.

He awnswered that he came nott wth him to Chichester on Satterdaye laste, butt came to him to Chichester in the afternoone aboute foure or fyve of the clock and confesseth that the faide Robert Hamond dydd then tell him that he hard that Braye was taken and that the Erle of Arrundell was taken wth him./ And he confesseth lykwise that when he came home the same night he fynding his kinsman Alexander Cuffande and a straunger there wth him, they tolde him that they hadd harde at Alton

as they came through the Towne that the Erle of Arrundell was taken, and one Braye a preeſte was taken w^h him. Butt the manner of the taking of them or the cauſe of their taking they ſayde nothing of. And he confeſſeth that the next daye when Alexaunder Cuffande bought one of the geldinges he told him that it was a gelding that Braye hadd geeven unto Baker.

And he ſayeth when he came from home he willed Robert Hamond to carry the other gelding to Stanſted parck or to anny place elſe where he thought he coulde gett good paſture for him. And ſayeth he knoweth nott whyther or to what place the ſaide Robert Hamond went on Mondaye laſte nor where he now is./ Butt thincketh if he be ſtepped or flypped aſyde itt is for feare of troble for matter of religion and for nothing elſe.

ANTHONY: FORTESCU.

RN. LEWKENOR.

Endorſed:—22^d April, 1585.

The examination of
Anthonie Fortefcue.

THE EXAMINACION OF EDWARDE POE TAKEN THE XXth OF APRILL, 1589.

The ſaid Edwarde ſaith that yesternight late the ſaid exaiāt ſtanding by Richard Baker, the ſayde Richard Baker tolde this exaiāt that he cared nott what coulde be layde unto him, butt hoped he ſhoulde eſkape oute of this troble well enough for he ſayde they coulde laye nothing to his charge except itt were for gyding certein gentlemen over Portefdowne the laſte weeke & ſayde that uppon Wedneſdaye there dydd two gentlemen ryde to the howſe of the ſaide Mr. Fortefcue at Lurtingtone and there one of them having gone in came oute againe and founde the ſayde Richard Baker at the pounce in cutting of his maſters lambes and there intreated him the ſayde Baker to be a gyde for them over Portefdowne into the Ile of Portefey w^{ch} the ſayde Richard Baker was contented to doo, and thereuppon going wth them a lyttell waye he mett wth two more of the companye ſo as there were foure of them in the whole wth whome he dydd ryde and brought them over Portefdowne into the Ile of Portefey/ And ſo he the ſayde Richard Baker came back againe & brought two of their geldinges back wth him/ butt whether his maſter knewe of his ryding wth them or of the bringing of the geldinges home and whatt was nowe become of the geldinges or whether they were in the paſtures or no he could not tell, and the ſayd exaiāt being aſked whether he hard the ſ^d Baker name anny of the ſaide parties he ſayeth he dydd nott butt ſayeth that the ſayde Baker ſayde “he muſt nowe ſaye the beſt he coulde to ſave his maſter,” whereunto this exaiāt awnſwered he were beſt ſaye whatt he coulde to ſave himſelf, butt ſayde he cared nott for that for there coulde be no more layde to his chardge then he hadd before ſayde. And therefore he doubted not butt that.

RN. LEWKENOR.

Endorſed:—The examinacon of Poo ſervāt
to Antho: Fortefcu

A very material pointe againſte
Antho: Fortefcu.

See page 474.

M. LÉOPOLD DELISLE, DIRECTEUR DE LA BIBLIOTHÈQUE NATIONALE À PARIS, IN A PAMPHLET PRINTED IN 1878, HAS GIVEN THE FOLLOWING ACCOUNT OF THE CHARTRIER OF RICHART FORTESCU :—

Chartrier de Richard Fortescu—MS. 24,915 du fonds additionnel.

Registre en parchemin, de 64 feuillets, petit in-4°. Ecriture du règne de Charles VI. Acquis en 1862 par le Musée britannique.

Ce registre fait connaître en détail les biens et les rapports féodaux d'un Seigneur de Basse-Normandie, qui devait vivre à la fin du xiv^e siècle et au commencement du xv^e. Le titre général est ainsi conçu : "C'est le Chartrier où sont les rentes de Richart Fortescu, esquier, seignour du Buiffon, et les tenans dudit lieu." La première partie du registre énumère les biens qui étaient tenus de Richard Fortescu ; la seconde indique sous quelles conditions Richard tenait ses fiefs. De courts extraits suffiront pour montrer le plan général du registre et pour déterminer les localités auxquelles il se rapporte :

Fol. 2. Cy ensuient les teneurs du lieu du Buiffon, seant en la paroisse de Sainte-Marie-du-Mont,¹ et illeques environ, appartenant à noble homme Richart Fortescu, esquier, Seignour dudit lieu.

Fol. 13. Ce sont les rentes de Sainte-Marie-du-Mont, qui ne sont pas en franc lieu.

Fol. 17. Cy ensuient les teneurs du franc lieu d'Estaville, seant en la paroisse de Sainte-Marie-du-Mont, appartenant à Richart Fortescu, esquier, Seigneur dudit lieu, et les noms des personnes qui les tiennent, et les rentes que eux en doyvent.

Fol. 26. Cy ensuient les teneurs du franc fief de Mons, seant en la parroche de Sainte-Marie-du-Mont, et de Brucheville,² appartenant à Jehan Fortescu, esquier, Seignour du dit lieu, et les noms des personnes qui les tiennent, et les rentes que eulz en doivent.

Fol. 33. Cy ensuient les teneurs du franc lieu de Franquetot, seant es parroisses de Quetreville et de Coignies-en-Baupreiz,³ appartenant à . . . ⁴ Fortescu, esquier, Seignour dudit lieu, et les noms des personnes qui les tiennent et les rentes qu'ilz en doivent.

Fol. 55. Cy ensuit la maniere comme Richart Fortescu, esquier, Seignour du Buiffon, tient sa terre, et de qui, et les rentes qu'il en doit.

Premièrement, ensuit la teneur de son franc lieu de Franquetot. Richart Fortescu tient son lieu de Franquetot, par foy et par hommaige, de noble homme mons. Michel le bastart de Quesclin, et de madame sa fame à cause d'elle, par le quart d'un fief de haubert . . .

Item, Richart Fortescu tient son franc lieu de Mons, par foy et par hommaige, du roy nostre sire, par le sexte d'un lieu de haubert . . . en la paroisse de Sainte-Marie-du-Mont. . .

Fol. 55. Item, Richart Fortescu tient son franc [lieu] d'Estaville, par foy et par hommaige, de

¹ Sainte-Marie-du-Mont, Manche, cant. de Sainte-Mère-Église.

² Brucheville, Manche, canton de Sainte-Mère-Église.

³ Cretteville, et Coigny-en-Bauptois, Manche, canton de La Haye-du-Puits.

⁴ La place du nom est restée en blanc.

noble homme monseigneur Guillaume aux Espaulles, chevalier, par huitiesme d'un fieu de haubert . . . en la paroisse de Sainte-Marie-du-Mont. . . .

Item, enfuit la fourme comme Richart Fortescu tient son franc fieu de Huberville.¹ . . . de Jehan du Hommet, chevalier, Seigneur de la Varangiere.² . . .

Fol. 56. Item, enfuit comme Richart Fortescu tient son franc fieu du Buiffon, affis en la paroisse de Sainte-Marie-du-Mont, lequel il tient de Monseigneur de Saint-Sauveur-le-Vicomte. . . .

Huit chartes sont insérées textuellement dans le chartrier de Richard Fortescu. En voici le sommaire :—

Mai 1268.—Guillaume des Moitiers, chevalier, cède à Raoul de Mons, écuyer, 13*l.* 4*s.* t. de rente, dans les paroisses de Sainte-Marie-du-Mont et de Sainte-Mère-Eglise,³ en échange des revenus que ledit Raoul avait à Belval⁴ et à Saint-Pierre de Coutances, à raïson de la dot de sa femme Lucie, fille dudit Guillaume. (Fol. 24.)

28. Janvier 1365. (v. ft.)—Drouet du Buiffon, écuyer, cède à Jehan Fortescu le fief du Buiffon, en la paroisse de Sainte-Marie-du-Mont. (Fol. 60.)

2. Février 1367. (v. ft.)—Jehan Fortescu, écuyer, assigne des rentes à Drouet du Buiffon, écuyer. (Fol. 63.)

7. Mars. 1373. (v. ft.)—Jehan de Beufeville avoue tenir, sous le roi de Navarre, par foi et hommage, de Jehan Fortescu et de Guillemette du Hommet,⁵ sa femme, une vavassorie dont le chef est à Huberville. (Fol. 55.)

15. Avril. 1375.—Guillame de Briqueville, Sire de Laune,⁶ et Marie de Courcy, sa femme, fiefent à Girot le Neir, dit le Perche, un moulin à eau appelé Tonnée, sis en la paroisse de Sainte-Marie-du-Mont. (Fol. 30.)

3. Avril, 1376.⁷—Aux affises de Saint-Sauveur et de Néhou, Mahieu de Varennes, bailli pour le sire de la Rivière,⁸ adjuge à Jehan Fortescu, écuyer, un poisson “ appelé ung cernot de mer,” échoué en 1375 au rivage de Sainte-Marie-du-Mont, sur fief du Buiffon. (Fol. 56.)

6. Mars. 1376. (v. ft.)—Girot le Neir, dit le Perche, héraut, de la paroisse de Saint-Martin-de-Golleville,⁹ vend le moulin Tonnée à Jehan Fortescu. (Fol. 31.)

4. Avril, 1380.—Guillame de Briqueville, chevalier, sire de Laune, et Marie de Couxi (lisez : Courci,) sa femme, vendent à Jehan Fortescu, écuyer, les biens qu'ils avaient à Sainte-Marie-du-Mont et à Brucheville. (Fol. 24.)

¹ Huberville, Manche, cant. de Valognes.

² La Varengère, Manche, cant. de Montebourg, comm. d'Ozeville.

³ Sainte-Mère-Eglise, Manche, arr. de Valognes.

⁴ Belval, Manche, cant. de Cérify-la-Salle.

⁵ Cette dame paraît avoir été la sœur de Jehan du Hommet, Seigneur de la Varengère.

⁶ Laune, Manche, cant. de Leffay.

⁷ Dans le système de ceux qui faisaient commencer l'année à Pâques, l'année 1376 n'eut point de 3 Avril. Je suppose que le rédacteur de la présente charte prenait le 25 Mars comme point initial de l'année.

⁸ Bureau de la Rivière.

⁹ Golleville, Manche, cant. de Sainte-Sauveur-le-Vicomte.

List of Members of Parliament.

The following list of members of the House of Commons bearing the name of Fortescue, is taken from a parliamentary return printed in the year 1878, of all members of that house from A.D. 1213 to A.D. 1702.

It is interesting to find that the first member of the Fortescue family whose name appears in the list is "John Fortescue, junior," returned for Tavistock on the 1st of April, 1421, in the ninth year of Henry V.; and on three other occasions, the last being on the 24th April, 1425. This must have been the future Chief Justice and Chancellor, whose father, Sir John Fortescue, the governor of Meaux, was then alive; by which fact the distinctive addition of "junior" to the name of the member for Tavistock is accounted for. His profession of the law, and consequent residence in London, would make attendance in Parliament less inconvenient to him than to a West-country resident, and may have led to the selection. At page 6 of this volume it is stated in error that John Fortescue of Wimpston sat for Tavistock in the second and third Henry VI.

The second name in the list, that of Henry Fortescue, returned for Devonshire on the 11th of November, 1421, must, from the absence of any other member of the family bearing that name, be assigned to the Chancellor's elder brother Sir Henry Fortescue of Wood and Fallapit, afterwards Chief Justice in Ireland, then a lawyer of Lincoln's Inn.

MEMBERS OF THE FORTESCUE FAMILY WHO HAVE SERVED IN THE HOUSE OF COMMONS FROM
A.D. 1421 TO A.D. 1701, WITH THE DATES OF THEIR RETURN TO PARLIAMENT.

Devon . .	Johannes Fortescue, junior	1 April, 1421 . .	Tavistock Borough.
—	Henricus Fortescue	11 Nov., 1421 . .	Devon County.
—	Johannes Fortescue, junior	11 Nov., 1421 . .	Tavistock Borough.
—	Johannes Fortescue, junior	12 Oct., 1423 . .	Tavistock Borough.
—	Johannes Fortescue, junior	24 April, 1425 . .	Tavistock Borough.
—	Johannes Fortescue	29 Jan., 1425-6 . .	Totnefs Borough.
—	Johannes Fortescue	6 Sept., 1429 . .	Plympton Borough.
—	Johannes Fortescue	15 April, 1432 . .	Totnefs Borough.
Wilts . .	Johannes Fortescue	25 Dec., 1436 . .	Wilts County.

Devon . . .	Ricardus Fortescue, jun.	28 Jan., 1448-9 .	Plympton Borough.
Essex . . .	Henricus Fortescue, armiger, loco Antonii Browne, armigeri, unius burgenfium burgi de Preston in Amoundernefs, Co. Lanc. . .	13 March, 1552-3 .	Maldon Borough.
Berks . . .	Johannes Forteskew, of Salden, gent. . . .	9 Jan., 1558-9 .	Wallingford Borough.
Lancaster . .	John or Richard Fortescue, gent.	No date (1562-3) .	Wigan Borough.
Berks . . .	John Foskeu, of Salden, Esq.	28 April, 1572 .	Wallingford Borough.
Bucks . . .	John Fortescue, Esq., of Salden	No date (1586) .	Buckingham Borough.
—	John Fortescue, Esq., of Salden	No date (1588-9) .	Bucks County.
—	Francis Fortescue, Esq., of Salden	No date (1588-9) .	Buckingham Borough.
—	Sir John Fortescue, knt., a Privy Councillor . .	No date (1592-3) .	Bucks County.
—	Francis Fortescue, Esq., of Salden	No date (1592-3) .	Buckingham Borough.
—	Thomas Fortescue, Esq., of the Inner Temple, London	No date (1592-3) .	Wycombe Borough.
Dorset . . .	John Fortescu, Esq.	No date (1592-3) .	Bridport Borough.
Suffolk . . .	{ William Fortescue, Esq. } { Dudley Fortescue, Esq. }	No date (1592-3) {	Sudbury Borough.
Wilts . . .	Edmund Fortescue, Esq.	No date (1592-3) .	Old Sarum Borough.
Berks . . .	Thomas Fortescue, Esq., of Donnington . . .	No date (1592-3) .	Wallingford Borough.
—	Thomas Fortescue, Esq., of Donnington . . .	26 Sept., 1597 .	Wallingford Borough.
Bucks . . .	Francis Fortescue, Esq., of Salden	10 Oct., 1597 .	Buckingham Borough.
—	William Fortescue, Esq., of Salden	15 Oct., 1597 .	Wycombe Borough.
Berks . . .	Thomas Fortescue, Esq., of Donnington, <i>vice</i> the Hon. John Harberte (or Herbert), who elected to serve for County Glamorgan . .	7 Nov., 1601 .	Wallingford Borough.

Bucks . .	Francis Fortescue, Esq.	7 Oct., 1601 . .	Bucks County.
Middlefex .	Sir John Fortescue, knt., Chancellor of the Exchequer	8 Oct., 1601 . .	Middlefex County.
—	Sir John Fortescue, knt., Chancellor of the Duchy of Lancaster, and a Privy Counsellor, <i>vice</i> Sir Robert Wroth, knt., deceased	20 Feb., 1605-6 . .	Middlefex County.
Southampton .	Sir William Fortescue, knt., of Salden	12 Mar., 1603-4 . .	Stockbridge Borough.
Devon . .	Sir Edmund Fortescue, knt. and bart., <i>vice</i> Thomas Hele, Esq., deceased	4 Oct., 1666 . .	Plympton Earl Borough.
Cornwall .	Hugh Fortescue, Esq., of Penwarne, Co. Corn- wall	12 Jan., 1688-9 . .	Tregoney Borough.
—	Hugh Fortescue, Esq.	10 Mar., 1689-90 . .	Tregoney Borough.
—	Hugh Fortescue, Esq., of Filleigh	28 Oct., 1695 . .	Grampound Borough.
—	Hugh Fortescue, Esq.	3 Aug., 1698 . .	Truro Borough.
—	Hugh Fortescue, Esq.	14 Jan., 1700-1 . .	Tregoney Borough.
—	Hugh Fortescue, Esq.	15 Jan., 1700-1 . .	Truro Borough.
—	Hugh Fortescue, Esq.	2 Dec., 1701 . .	Tregoney Borough.

See Chapter XIV.

A SPEECH BY SIR JOHN FORTESCUE OF SALDEN, THE TIME AND OCCASION OF WHICH ARE UNKNOWN.

The groundes of Mr. ffortscues speech.

No forme of parishes, or tyeing men to pishes in the Apostles tyme/
whose cõmiffion was *Ite in vniuersum mundum.*

Bona divina do, meliora quo magis Communia

If this matter have his fowndacoñ from God, then it is inviolable, if from men, then it maye be altered by man : *Nam vnumquodque eodem modo dissolui potest quo est colligatum.* Some parishes are greate & enough for anie man to dischardge, as Hallifax, some 2 or 3 others not equall in chardge/

Touching the Court of faculties./

Whereas in former tymes dispensacons, for takeing manie benefices and for non residence vpon the same, were graunted either wthout respect of the worthines of the person, or value of the liveinge, by a Statute of the 21 Hen. 8^t. Cap. 13^o. It was ordained that if anie pson or persons haueing no benefice wth cure of soules of the yearlie value of viij^{ti} or aboue, shall accept or take anie other wth cure of soules, and be instituted & inducted into possession thereof, then the first benefice should be adiudged in lawe to be voyd and licence or dispensacon to the contrarie notwithstanding./

ffurthermore it was ordayned by the same Statute that everie spirituall person should keepe residence vppon his dignitie, Prebend or benefice or at one of them wthout absenting himselfe wilfullie by the space of one moneth togeather, or by the space of two monethes at seüall tymes in any one yeare, vpon payne of forfeiting for everie default x^{ti} the one halfe thereof to the King: the other to the informer: ffrom wch generallities were made certaine exceptions such as were thought necessarie for the state of the church, for the honor of the King, and of the Nobles, and Prelates of the Relme, and also for the incouragement & reward of men of speciall guiftes and service./

And therefore it was provided that Spirituall men wch were then or afterwarde should be of the Kinges counsell and the chaplens of the King, the chaplaines of Dukes, Marquiffes, Earles, vicounts, Barrons, and also the Chaplens of Archbishops & Bishops and of certaine cheife officers in this Realme should to a certaine number according to their seüall degrees and with diuers reasonable lymitacons be suffered to purchase license or dispensacon, & receaue and keepe two benefices wth cure of soules, and also to be absent durieng such tyme as they should attend daylie or quarterlie in the Kings most honorable howshold & the seüall howses of the Nobles and Bishops of this Realme. The lyke excepcon is lykewise made for doctores and Bachelers of Divinitie to receaue and take two benefices w'h cure /

And for Mrs. of Colledges, and readers in the vniversities to haue lardger tyme of absence then is prescribed in the bodie of the Statute, for the better governm^t of their Colledges and discharging their lectures, in case they should haue any eccliafticall liveinges /

2. By the Statute of the 25 of Hen. 8^t. Cap. 21^o the supremacie in causes eccliafticall being acknowledged to be in the King, the auethoritie of disposing of all humane positive lawes Eccliafticall was recognized to appertaine to the imperiall Crowne of this Realme./

And by that act an order was set downe howe dispensacon should passe wthout transgressing the lawes of god or vyolating of the Prerogative of the King or the ancient lawes or Customes of this Realme./

By wch said acte, not onlie the Prerogative of the King was in this pointe establisshed, but also a Revenewe settled in the Crowne, viz^t two third ptes of the fee of everie dispensacon of importance wch before whollie came to the Pope./

The statute of xxij^d was repealed Anno primo Phillippi et Mariæ and renued primo of this Queene./

3. And by the statute of primo of this Queene it was enacted further that all suche Jurisdiccons, priuiledges, superiorities and preheminences spirituall and Ecclesiastical, as by any spirituall or Eccliafticall power or auethoritie hath heretofore byn or maye lawfullie be exercised or vsed shall for ever be vnited and annexed to the imperiall Crowne of this Realme /

ffor the better observacon and maynetañnce of wch act the oath of supremacy was devised, as

appeareth by the same act, In the latter end of w^{ch} oath wee all sweare that to our power wee will assist and defend all Jurisdiccōns priviledges prehemiances & aucthorities graunted or belonging to the Queenes highnes her heires & succeffors, or vnited or annexed to the imperiall Crowne of this Realme./

4. The statute of 25 had execucon by Archbishopp Cranmer, dureing the residue of the tyme of Hen. the 8^t wth great abridgement (as was then thought) of Dispensacoñs graunted in former tymes. And that act being repealed in Quene Maries tyme had for a great part of this Quenes tyme execucon by Archbishopp Parker, as a minister vnder the Quenes highnes in y^t behalf.

Archbishopp Grindall at his entrance vnderstanding that many of the Subjects of this Realme misliked divers kyndes of dispensacons, conferred wth the Lo: and others of her Ma^{ts}. privie Councell touching that matter; And layeing open the whole estate of the Court of faculties, was contented that foe many of them should be restrayned as should be thought convenient. And himselfe deliued such a restraint in writing as a 11 or 12 of the ffs & others of the privie Councell vnder their hande confirmed as convenient for the state of the church of England./

And indeed the restraint was greate, ffor whereas in the Archbishopp Cranmers tyme, the cafes wherein dispensacoñs were graunted were 216 as appeareth vnder his owne hand—and the Lord Audlies hand, at that tyme Lord Chancellor of England. And whereas in Archbishopp Parkers tyme the cafes wer 212, as appeareth vnder his hand and S^r. Nicholas Bacon's then Lord Keeper of the great seale. Arch. Grindall onlie recomēded vnto the Lords and x others of the privie Councell fixe or seauen cafes of those 216 before mençoined, As namely the Comeñdam for a Bishopp that hath verie small revenewe belonging to his Bishoppick, and wanteth sufficient mayneteñnce for his calling to take therewith some other eccliafticall liveing wthin his dioces for the better mayneteñnce of the state of a Bishopp./

5. The second was the duallitie or dispensacon for the inioyeing of two benefices with Cure, wch was then and nowe contineweth restrayned onlie in learned men being Bachelors of Divinitie or M^{rs}. of Art and preachers lawfullie allowed, wth restraint also of distance of place, and wth provisions both for hospitallitie and sermons monethlie to be made at eache of the benefices, where before tymes, tryallities, quadallities et tot quots were passed many tymes either wthout lymitacoñ of myles or provision for hospitallitie & preaching./

The third was non residence to be graunted for some short tyme onlie for recoverie of health, or such lyke vrgent cause, and not during life as formerlie had byn graunted, or for anie long tyme of w^{ch} sort of dispensacons were verie few graunted in his tyme. And in this Arch. tyme non at all, except it were to one or two aged persons 80 yeares of age or there abouts verie impotent & almost blynde whoe were inioyned to fynd seüall preachers in their absence./

The rest of those kynde of dispensacoñs, retayned in vse were of small importance, as makeing of Notaries lycense, to eate flesh for sicklie persons and suchlyke./

6. This restraint made in the last Arch. tyme, was rather thought to straight then otherwise, In foe much as divers of the Lords of the privie Councell in sondrie perticuler cafes wrot their lres to the late Arch. for inlardgem^t thereof, as maye appeare by the ffs lres wch are extant./

And yet is the same restrainte still continued and vsed wth further provision of hospitallitie and preaching and for placeing sufficient curates able to instruct the people in the knowledge of gods word.

7. And this order hath a further establisment, being nowe made a Synodall, or provinciall Conftitucon, and confirmed by her Ma^{ts}. Royall assent./

Memo. yf there be anie difference from the former order it was done vppon good adwise of all the

Bishoppes of this province, as thought more convenient for the state of this church, and it maye be said that it partlie grewe vpon the opinion of the fls in their letters written after that order taken. I meane touching distance./

8. The greevance therefore nowe complained of hath not growen vpon anie dispenfacoñ latelie graunted but vpon dispenfacoñs 13 or 14 yeares since and vpwards and the persons yet liveing that are most offensive that waye w^{ch} can hardlie be remedied while they live. Neither is there any provision in this bill that reacheth to the full remedie thereof.

9. But theis two late orders being sett downe, the one in the late Arch. tyme considered and allowed of by the whole bodie of the Counsell and another nowe lastlie ordayned by a Synod prouinciall and confirmed by the Queenes Royall assent./

Whether it maye be nowe expedient because some offence is taken at dispenfacons over largelie before graunted w^{ch} cannot well be remedied dureing the lives of the persons vnto whome they were graunted to take awaye this moderat order offered by the last Archbi. allowed by the whole bodie of the Councell, Nowe latelie reduced into a Synodall constitucoñ confirmed by her Ma^{ty}. royall assent and authoritie, being also one of the highest and greatest partes of her supream iurisdiccoñ in causes Ecclesiasticall, by feiual acts of Parliament vnited to the Crowne, and a Revenewe of two third parts of eũie such dispenfacon paid at the great seale whereof the most part redoundeth to the Quenes owne vse. That is the Question./

The question is also whether from hensforth wee shall take awaye the meanes from her Ma^{ty}. to preferre her owne chaplaines, w^{ch} are coñmonlie of speciall guiftes aboue others, whether the nobles and great officers of this Realme wil be contented to haue their privyldges taken awaye either in haveing their chaplens attendant vpon them in their honorable howsholdes withowt great stipendes to be geven owt of their Cofers, fitt for learned-men or their libertie taken awaye of preferring their Chaplens to two competent liveinges of their owne patronage, according to their owne quallitie and desert. And whether all assistance of learned divines shalbe taken awaye from the Bishoppes of this Realme, for repressing erronious opinions, incountring the coñmon adversarie the Papistes. And such lyke good services of the church and state except they shall mayntaine them wth great stypends wch many of them are verie able to doe./

Lastlie whether from hensforth no greater respect shalbe had of a doct̃or or Bachelour of divinitie, that is of xxxtie yeares continewance in the vniversitie then of the meaneſt preacher in the land./

And whether we shall cause deanes of Cathedrall churches to leaue their residence and goverment of their churches: And Mrs. of Colleges in the vniversities, to discontinewe from their colledges, seeing the most part of theis withowt some benefice or other are not able to mayntaine their states and callinges./ . / .

(Ashmole MS. 1792, fol. 28^b.)

Le Chartrier de Richart Fortescu,

Seignour du Buillon.

Cest le chartier ou sont les ven-
tes de Richart fortescu escuier
seigneur du buisson et les tenans
dudit fieu en la maniere qui ensuit fait et ordonne

Apresient les teneurs du fieu du bi-
buisson seant en la paroisse de Sainte marie du mont et illenay en
vion apparten a noble homme Richart fortescu escuier seigneur dudit fieu Et les
noms des personnes qui les tiennent Et le rentes et services que eulx en donnent

Premierement

Pierres osler Tient son fieu appelle le fieu osler par an-
rees et demie Xs et xij pennes et demie de terre par force phomange et
par zessean Et en doit .vij. boisseaux de foinment ala grant mesure de Se manie

Cest le chartrier ou sont les rentes de

RICHART FORTESCU

escuier seignour du Buiffon et les tenans

du dit fieu en la maniere qui ensuit fait et ordonne.

Cy ensuient les teneurs du fieu du Buiffon seant en la parroisse de Sainte Marie du Mont et illenoque environ appartenant a noble homme Richart Fortescu escuier Seignour du dit fieu et les noms des personnes qui les tiennent et le rentes et services que eulx en doivent.

Premierement.

Pierres Osber Tient son fieu appelle le fieu Osber par iiij. acres et demie vergie et xiiij perques et demie de terre par foy et par hommage et par resseantise. Et en doibt vij. boisseaux de fourment a la grant mesure de S^{te} Marie du Mont, trois pains trois guelines a Noel et trente œufs a Pasques. Et trois foulz pour aide a la fainte Perrenelle. Et si doibt une journee de carue une fois lan qui doibt avoir quatre deniers pour livrefon au feir quant il sen va pour tout. Et si doit service de ung homme a faire les fains es preis du Buiffon toulx les jours que mestier en fera. Et auxi doibt service de ung homme acurer le buy du moulin du Buiffon chefcum an jusque a la Planque Cannun. Et si doibt service dum homme chefcum an a aidier a foer le ros qui croist en buy du dit moulin du Buiffon jusque a la quemine de Holledic en alant jusque au querne qui fut Richart le Pannier. Et si doit le dit Osber aidier a porter et charier les meulles du moulin du Buiffon a ses despense de partout le bailliage de Costentin quant mestier en est. Et doivent luy et les autres tenans du fieu mettre les dictes meulles haut en moullin sur les gavelles. Et anfi doit ledit Osber laye tierche de son dit fieu de iiij ans en iiij ans quant le moneage chiet. Cest assavoir de chefcune vergie de terre de son dit fieu un parisy. Et doit les reliefs quant eulx chaent. Et en peult faire le seigneur sa justice pour les rentes et services dessus dis sur le mesuage du dit Osber. Et sur les terres qui eufs' et sur chefcun pie pour letoult. Premierement le dit mesuage avecque le dit garden contient demie acre et demie vergie et x perques et vj pies de terre jousce le buy du moulin du Buiffon dun coste bute dun but sur le quemin qui va du dit moulin au mostier de Sainte Marie du Mont lacroute du dit Osber par devers le fieu du temple contient par mesure vj vergies xiiij perques et v pies de terre des lons camps sans couter la caveniere dendroit la chambre

devers les camps. Item la croute de dessus son mesuage qui va au lonc du chemin en alant a la croix Osber contient une acre de terre par mesure. Item le prey dempres le moulin du Buiffon contient iij vergies et demie et x perques de terre en ce comprins ij hoques de terre qui sont en but du prey donc lun passe le quemin qui vient de Holledic en J. Aguillonet qui lanche jusque sur le buy du moulin du Buiffon. Et soit le Seigneur du Buiffon memore que se le dit Osber ou ses heirs lessioient par aucune aventure le dit prey en temps avenir que les hommes et tenans du dit Seigneur sont * *

fo. 3.

but sur la croute Heulier et dautre but sur le quemin qui va du hamel es Fontenes au mostier de Sainte Marie du Mont.

Michiel le Clerc en tient sa maison et son gardin affavoir en dit hamel es Fontenes contenant * * * *² jousce le clos qui fut Henri de la Fontaine dun coste. Et est desique es terres Osber et a la terre Guilleme de la Fontaine dautre coste bute dun but sur la croute Heulier et dautre but sur le quemin qui va du hamel es Fontenes au mostier du Sainte Marie du Mont. Et doibt sa part des rentes et services dessus dit passants par la main de lainfne.

Rogier Boutemelle tient le fieu Cannin par une acre iij perques et xvij pies de terre par foy et par hommage et resseantise et en doibt luy et ses parchonniers ij pains de manse ij guelines a Noel et xx œufs a Pasques et iij soulz a la Perronnelle. Une journee de carue une fois lan. Et doibt laye tierche quant elle chiet cest affavoir j parisy pour chescune vergie. Et si doivent un homme a faire les autres services tielx et semblables comme il est contenu en fieu Pierres Osber.

Premierement.

fo. 3^b.

Le dit Rogier en tient en sa main une vergie et demie et viij perques et demie de terre jousce la voie qui va de la maison Maillart au moulin du Buiffon dun coste. Et dautre coste jousce le buy qui vient du moulin du Buiffon au moulin de Tonnee bute dun but sur les hers Perrin Maillart et dautre but sur Ricart Alixandre a cause de sa femme.

Les hers Perrin Maillart en tiennent xxxv perques xvij pies par mesure jous la dicte voie et le dit buy descostes bute sur Rogier Boutemelle et sur la voie qui va a la planque Cannin des bus. Et en doit son a portant de rentes et services dessus dis passants par main dainfne.

Richart Alixandre a cause de sa femme en tient cinquante et neuf perques et demie de terre jous a la dicte voie et le dit buy des costes bute sur le dit buy et sur Roger Boutemelle des bus. Et en doibt sa part des rentes et services dessus dis.

¹ A leaf or more is wanting here.² Blank in original.

Perrin Boutillier Tient le fieü Ricart le Fevre par sept acres de terre par foy et hommage et par resseantise. Et en doit lui et ses parchonniers une journee de carue une fois lan qui doit aver iiij deniers pour livrefon au soir quant il sen va. Et si doit laie tierche quant elle chiet pour chefcune vergie de terre j parisy. Et doit ung homme a faire les services tiex et semblables comme il est contenu en fieü Pierres Osber tous les jours que mestier en fera. Et avecque ce doit une journee de carue.

Premierement.

Le dit Boutillier en tient en son mesuage xvij perques et xviii pies qui doit la resseantise jousce fo. 4. la voie qui va du hamel es Fontenes au mostier de Sainte Marie du Mont dun coste et Jehan Quesnet a cause de sa femme dautre coste bute dun but sur le chemetiere de Sainte Marie du Mont et dautre but sur le fieü Crespin et en doit au Seigneur v. boisseaux de fourment a la grant mesure, j pain, une gueline a la Saint Michel et x œufs a Pasques que le seignor acquist de Robin Vibet de Carenten sur le dit mesuage comme il appert par lettre royal sur ce faicte.

Perrin le Boscage en tient du dit fieü sa meson et son courtil assavoir devant le chimetiere de Sainte Marie du Mont contenant vij perques et ix pies de terre par mesure joustte Perrin Bouteillier et Jehan Guesnet a cause de sa femme des costes bute dun but sur le chemetiere et dautre but sur ledit Guesnet. Et doibt sa part des rentes et services de sur dis. **Item** le dit Boscage dit Segur en tient demie acre, iij perques et xv pies assavoir sur le hamel es Paillies jousce le Seigneur du Buiffon et la voie qui vient du hamel es Pailliers au mostier de Sainte Marie du Mont des costes bute dun but sur le douyt qui vient de Magneville au hamel es Fontenes et dautre but sur Perrinet le Pallier filz Thomas et sur la terre qui fut Hebert le Vennier. Et en doit son a portant des rentes et services dessus dis.

Le clos qui fut Carrel sicome il purporte en lonc et en ley et le mesuage qui fut Gieffroy le Clerc que tient a present Massieu le filz Auboulenc contient xxxiij perques et vij pies de terre assavoir devant le chimetiere de Sainte Marie du Mont jousce Robert la Canne dun coste et la voie qui va du mostier au manoir Guesnet dautre bute dun but sur le chemetiere et dautre but sur le quemin qui va du manoir Guesnet au molin du Buiffon. Et en doit son portant des rentes et services de sur dis. fo. 4^o

Les hers Ricart le Uidel en tient demie vergie de terre assavoir en mesuage qui fut Ricart Mourant jousce Jehan Guesnet a cause de sa femme dun coste et dautre coste jousce le clos qui fut Ricart le Feure et le fieü Crespin a cause du mesuage qui fut Franquet Anguelier bute dun but sur le quemin qui vient du hamel es Fontenes au mostier de Sainte Marie du Mont et dautre but sur Jehan Guesnet a cause de sa femme. **Item** les dis hers tiennent du dit fieü demie acre de terre par mesure assavoir en ij pieces, la premiere piece est assavoir es begues de la moranderie jousce le quemin qui vient du hamel es Fontenes au mostier et le fieü Crespin des cotes bute dun but sur le dit quemin et

dautre but sur Perrin Vincent dit Segur a cause de la terre Jouhan Gieffroy que il tient, le seconde pirche est assavoir en clos Jehan Guesnet a cause de sa femme deriere la maison qui fut Ricart Morant jousce Jehan Guesnet a cause de sa femme, et le quemin qui vient du hamel es Fontenes au mostier des costes bute dun but sur la dicte maison qui fut Ricart Morant et dautre but sur le lieu Crespin. Et en doivent leur portant des rentes et services dessus dis.

fo. 5.

Le seigneur du Buiffon en tient du dit lieu en sa main iij pieches de terre donc la premiere est assavoir a la croix Destaville contenant iij vergies xvij perques et x pies de terre par mesure jousce le dit Seigneur et Robin Beaugendre des costes bute dun but sur la croix Destaville et dautre but sur le dit Beaugendre a cause de sa mere. La seconde pieche est assavoir en la croute Richart le Feure sur le hamel es Fontenes contenant une vergie et demie et iij perques et demie jousce le quemin de la Canee qui vient Destaville au mostier de Sainte Marie du Mont, et dautre coste sur Guillem de la Fontaine bute dun but sur le dit Fontaine et dautre but sur Michel le Paillier filz Guillot, la tierche pieche assavoir en la dite croute avec ung clofet qui vient sur le clos Guillem de la Fontaine et fut la terre Guillaume Bourdet contenant demie acre par mesure ij perques et demie de terre jousce Guillaume de la Fontaine des costes et bute sur le dit Fontaine et sur Michel le Paillier desbus.

Item le dit Seigneur tient du dit lieu v vergies et demie de terre assavoir sur le douyt de Magneville jousce la terre que Perrin Vincent dit Segur tient du dit Seigneur dun coste et dautre costre jousce Thomas Penant bute dun but sur le douyt de Mangneville et dautre but sur Perrin le Paillier. Et en doit le dit Seigneur rabatre audit ainsne sa part des aides et des services dessus dis.

Perrinet le Paillier filz Thomas en tient v perques et demie sa chambre seante dedens et son courtil jous le dit Perrinet dun coste et Mons' Guillaume aux Espaulles dautre coste bute dun but au quemin qui vient de la cauchie au mostier de Sainte Marie du Mont dautre but sur la maison meualle du dit Paillier. Et en doit son aportant des rentes et services dessus dis.

Le mesuage qui fut Hebert le Vanier si comme il se pourporte en lonc et en ley avecque ij hoques de terre qui sont de hors le dit mesuage en but contient une vergie et demie de terre par mesure jousce la voie qui vient du hamel es Paillies au mostier de Sainte Marie du Mont et le mesuage qui fut Piquot qui est a present Perrinet le Paillier filz Thomas des costes bute dun but sur le quemin qui vient de la cauchie Destoqueville au mostier de Sainte Marie du Mont et dautre but sur la voie de sur dicte. Et doit son aportant des rentes et services dessus dis.

fo. 5^b.

Raoul le Coustour tient demie acre et vj perques de terre assavoir sur le douyt qui vient de Magneville au hamel es Fontenes jousce Pierres le Pallier et Maffieu le Franches descouftes bute dun but sur le douyt de Mangneville et dautre but sur les hers Colin de Lamaire. Et en doit son aportant des rentes et services et cetera.

Guillême de la Fontaine le viel en tient iij vergies de terre assavoir sur le hamel es Fontenes en la croute au Fevre assavoir en iij pieches la premiere pieche est assavoir jouce la terre Jehan Fortescu de la cauce dun coste et dautre coste jousce Jehenne la Pailliere bute dun but sur le mesuage dudit Fontaine et dautre but sur Michel le Paillier, la seconde pieche est assavoir illenc jousce Jehenne la Pailliere et Jehan Fortescu descostes bute dun but sur Guillem de la Fontaine et dautre but sur Michiel le Paillier. La tierche pieche est assavoir illenc jousce Jehan Fortescu dun coste et dautre coste jousce Guillem Maudiet bute sur le dit Maudiet et sur Michel le Paillier desbus. Et en doit son aportant des rentes et services, etc.

Jehenne la Pailliere de guerpie Guillot le Paillier en tient une vergie assavoir en la croute au Feure jousce Guillême de la Fontaine des costes bute dun but sur le dit Fontaine et sur Michel le Paillier son filz dautre but. Et en doit son aportant des rentes et services, etc.

Guillemme Enguellier et Ricart Enguellier tient du dit lieu dune acre et xiiij perques de terre assavoir devant les forges du grant quemin jousce Perrin Berot a cause de sa femme et Rogiet Bermont fo. 6. le jeune des costes bute dun but sur le houelenc Perrin Noel et dautre but sur Perrin Berot. Et en doit son aportant des rentes et services, etc.

Le lieu qui fut Raoul le Berrnier que tient a present Jehan Guesnet a cause de sa fame fille et heir Massieu de Lefville est tenu par une acre de terre cest assavoir le manoir qui fut Massieu de Lefville avec son gardin et sa croute assavoir en droit son gardin jousce le lieu Crespin dun coste et dautre coste jousce la terre que il tient en son gardin du lieu a Feure et les hers Ricart le Viudel bute dun but sur le quemin qui passe pardevant sa porte a aler au moulin du Buiffon et dautre but sur le lieu es Fontenes. Et en doit laye tierche quant elle chiet de iij ans en iij ans cest assavoir pour chescun vergie de terre j parisy. Et si en doit reliefs et les aides coustumieres quant elles chaent et si doit une iij * * * * *¹ foy et hommage une journee de charue * * *

Le lieu des Corbuechons que tient a present le Poullart a cause de sa fame qui fut fille Ettie Happelin est tenu par x acres de terre par foy et par hommaige. Et en doibt luy et ses perchoniers v soulz a la Pernelle et si doit laie tierche quant elle chiet pour chescune vergie j parisy et doit une journee de carue une fois lan qui doit aver iiij deniers pour livrefon et si doit ung homme es services du Buiffon tiex et semblables comme le lieu Pierres Osber.

Raoul Hervieu Tient le lieu Varon par iiij acres de terre par foy et hommaige et par resleantise assavoir a la rive jousce le dit Raoul des costes a cause du lieu Crespin bute dun but sur la mer et dautre fo. 61

¹ Erased in original.

sur le feu es Petis et sur le feu au Seneschal et passe la caiche au Seneschal par mie. Et en doit au Seigneur du Buiffon xij boisseaux d'avenne a la grant mesure ij pains ij guelines. Et si doit une journee de carue une fois lan. Et doit laie tierche pour chescune vergie ung parisy quant elle chiet. Et doit service dun homme a faire les fains tous les jours que mestier en sera et si doit les autres services tiex et semblables comme il est devise en feu Pierres Osber.

Item le dit Raoul tient le feu Poubel par vj vergies de terre par foy et par hommaige et par reffantise assavoir a la rive de Poupeville jousce le feu Varon. Et en doit vj parisis pour laie tierche et si doit une journee de carue une fois lan qui doit avoir iiij deniers pour livrefon et doit service de ung homme a faire les fains au Seigneur toutes fois que mestier en sera. Et ausi doit ung homme chescun an a aidier acurer le buy du moulin du Buiffon jusque a la planque Cannin et si doit aide a amener les meulles quant eux faudront au moulin du Buiffon de par tout le bailliage de Costentin et les doit aidier a mestre hault sur la gavelle du moulin avecque les autres hommes et doit reliefs quant il chaent et doit tous ycieux services comme il est devise en feu Pierres Osber.

Richart Hamelin Tient le feu au Seneschal par iiij acres de terre par foy et hommaige et par reffantise et en doit au dit Seigneur lui et ses parchonniers viij boisseaux de fourment iiij boisseaux d'avenne a la Saint Michel, v. guelines et demie et vij deniers pour pains a Noel v soulz a la Sainte Perrenelle et xvj parisis pour laye tierche. Et si doit une journee de carue une fois lan qui doit avoir iiij deniers pour livrefon et si doit les services deubz au Buiffon tiex et semblables comme il est devise en feu Pierres Osber.

Premierement.

Le dit Hamelin en tient en son mesuage xxij perques et ij pies de terre jousce Thomas le Breton dit Gaillart et la terre au Seigneur de Montquoq des costes bute sur Raoul Hervieu et sur la caiche au Seneschal des bus. **Item** le dit Hamelin en tient xxxij perques et demie jousce la terre au Seigneur de Monquoq et Thomas Caran des costes bute sur le dit Hamelin et sur la terre Osber qui tient Jehan Hervie desbus. **Item** le dit Hamelin en tient une vergie et demie jousce la caiche au Seneschal. **Item** le dit Hamelin en tient une vergie et demie de lautre part de la caiche au Seneschal. **Item** le dit Hamelin en tient une vergie de terre assavoir endiq au Fournier jousce ledit Hamelin des costes bute sur Raoul Trubleville et sur le dit Hamelin desbus.

Raoul Hervieu en tient une vergie ij perques et ix pies de terre jousce le douyt Veroil et les heirs Guilleme Hermey des costes bute sur Ricart Hamelin et sur Thomas le Breton desbus. **Item** le dit Raoul en tient une vergie assavoir sous le gardin Henri Aubree jousce Thomas Caran des costes bute sur Thomas le Breton dit Gaillart et sur la hogue au Fournier desbus. Et en doit son aportant des rentes et services dessus dis.

Jehan Hermey en tient une vergie ij perques et ix pies de terre joux Raoul Hervieu. **Item** le dit Hermey en tient une vergie et v. perques en la terre Osber jousce Thomas le Breton et le dit Hermey des costes bute sur Thomas Caran des bus. Et en doit son aportant des rentes et services dessus dis.

Thomas Caran en tient une vergie et xiiij perques assavoir sur la caiche au Seneschal jousce Jehan Hermey et Robert Lemor a cause de sa fame des costes bute sur Raoul Hervieu et sur Jehan Hermey desbus. **Item** ledit Caran en tient xxxiiij perques et demie jousce Jehan Hermey et les heirs Ricart Fiquet des costes bute sur Richart Hamelin dun but. **Item** ledit Caran en tient ij perques et demie en sa caveniere jousce Thomas le Breton dit Gaillart. **Item** le dit Caran en tient une vergie et viij perques et xv pies jousce la terre Monquoq. **Item** le dit Caran en tient une vergie et demie assavoir soubz le gardin Henry Aubree jousce Raoul Hervieu et Colin Aubree le viel a cause de sa fame des costes bute sur Thomas le Breton et sur la hogue au Fournier des bus. Et en doit son aportant des rentes et services dessus dis.

Thomas le Breton dit Gaillart Ricart Hamelin et Robert Lemor a cause de sa fame en tiennent une vergie et demie xij perques et xvij pies de terre jousce le douyt Veroil et Thomas Caran des costes bute sur Raoul Hervieu des bus. Et en doyvent leur a portant des rentes et services dessus dis.

Item Thomas le Breton dit Gaillart en tient v. perques en sa caveniere jousce Thomas Caran et le dit Breton descostes bute sur la caiche au Seneschal et sur Thomas Caran des bus. Et en doit son aportant des rentes et services dessus dis.

Item Ricart Hamelin Tient le fieu au Fournier par iij acres de terre par foy et par hommaige et par resseantise et en doit lui et ses perchonniens xix deniers a la Sainte Perrenelle j pain de manse une gueline a Noel. Et doit xij parisis pour laie tierche et doit une journee de carue une fois lan quant il plaira au Seigneur, qui doit avoir iiij deniers pour livrefon. Et doit les services deubz au Buiffon tiex et semblables comme il sont devises et desclares au fieu Pierres Osber. fo. 8.

Premierement le dit ainsne en tient en son mesuage xvij perques et demie qui doyvent la resseantise jousce Colin Aubree le viel et la voie de iij pies des costes bute sur la rue de Poupeville. **Item** le dit ainsnee en tient xxx perques soubz le gardin Henri Aubree jousce la fame Colin Aubree le viel des costes bute sur Thomas le Breton dit Gaillart et Thomas Caran des bus. **Item** le dit ainsnee en tient une vergie, xv perques et demie assavoir en la hogue au Fournier jousce les Herveys et le dit ainsne des costes bute sur Henri Aubree et sur la caiche au Seneschal des bus. **Item** le dit ainsne en

tient une vergie xvij perques et demie assavoir au diq au Fournier jousce Henri Aubree et les Hermeis des costes bute sur le dit ainsne desbus. *Item* le dit ainsne en tient une vergie ij perques et xij pies assavoir en dic au Fournier jous Henry Aubree et Raoul Hervieu dun coste et dautre jousce le dit ainsne bute sur Raoul Trubleville et sur le dit ainsne des bus.

Colin Aubree le viel en tient a cause de sa fame une vergie et demie et xv perques assavoir soubz le gardin Henry Aubree jousce Ricart Hamelin des costes en ij pieches butent sur Thomas le Breton dit Gaillart et sur Thomas Caran desbus. *Item* le dit Colin Aubree a cause de sa fame en tient une vergie et demie assavoir en la hogue au Fournier jousce les Hermeys et les fosses sur quoy les camps de Poupeville butes des costes bute sur Thomas le Breton dit Gaillart et sur la caiche au Senescal desbus. Et en doit son aportant des rentes et services dessus dis.

fo. 8^b.

Thomas le Breton dit Gaillart a cause de sa fame en tient xv perques de terre assavoir soubz le gardin Henry Aubree jousce Perrin le Marquant et Colin Aubree a cause de sa fame des costes bute sur le dit Gaillart et sur Colin Aubree desbus. Et en doit son aportant des rentes et services dessus dis.

Les Hermeis en tiennent une vergie et demie assavoir a la hogue au Fournier jousce Ricart Hamelin et Colin Aubree a cause de sa fame des costes bute sur Henry Aubree et sur la caiche desbus. *Item* les Hermeis en tiennent demie vergie assavoir en camp de la voiete jousce Ricart Hamelin et Raoul Hervieu des costes bute sur Ricart Hamelin desbus. *Item* les Hermeis en tiennent une vergie vj perques et demie jousce la caiche au Senescal et Thomas le Breton des costes bute sur hogue au Fournier et sur Thomas le Breton dit Gaillart desbus. Et en doivent leur a portant des rentes et services dessus dis.

Raoul Trubleville Tient le fieu Renouf Johē par iij acres de terre par foy et par hommaige et par resseantise et en doit luy et ses perchonniars ix soulz et demy a la Sainte Perrenelle j pain une gueline a Noel et xij parisis pour laie tierche. Et doit une journee de carue qui doit avoir iij deniers pour livrefon et doit les services tiex et semblables comme le fieu Pierres Osber.

fo. 9.

Premierement le dit Trubleville en tient viij vergies et xx perques toulz en une pieche assavoir a la rive qui doit la resseantise jousce le fieu Crespin des costes bute sur la mer et sur Ricart Hamelin desbus. *Item* il en tient une vergie et vij perques assavoir soubz la resseantise Varon jousce le fie Varon et le fieu Crespin des costes bute sur Thomas le Breton dit Gaillart et sur Raoul Hervieu des bus.

Thomas le Blont en tient demie acre et une perque et vj pies de terre assavoir en dic es Petis jousce Raoul Hervieu et Thomas le Breton dit Gaillart des costes bute dun but sur la hogue au Fournier et dautre but sur le dic es Petis que tient Gaillart. Et en doit son aportant des rentes et services deffus dis.

Thomas le Breton dit Gaillart tient le fieu es Petis per iiij acres de terre par foy et par hommaige et par resseantise et en doit luy et ses perchonniers vij deniers pour pains et iiij guelines a Noel et xxx oeufs a Pasques et doit xvj parisis pour laye tierce et doit une journee de carue une fois lan quant il plet au Seigneur qui doit avoir iiij deniers pour livrefon et doit les services tiex et semblables comme ils sont devisees en fieu Pierres Osber.

Premierement le dit Gaillart en tient en son mesuage qui doit la resseantise et en ses ij gardins une vergie de terre jousce Thomas le Blont des costes bute dun but sur le douyt Veroil et dautre but sur la rue du hamel. Item le dit Gaillart en tient en mesuage qui fut Robert le Petit ix perques de terre jousce la rue et Henry Aubree des costes bute dun but sur Henri Aubree et dautre but sur sa caueniere que il tient du fieu au Senescal. Item le dit Gaillart tient ung autre hoquet de terre assavoir jousce le gardin Henri Aubree contenant viij perques et xvij pies. Item le dit Gaillart en tient iij vergies assavoir en dic es Petis jousce Robin Hervieu et Thomas le Blont des costes bute sur le dit Gaillart et sur la hogue au Fournier des bus. Item le dit Gaillart en tient v. vergies et xxx perques assavoir en bas dic es Petis jousce la caiche au Senescal et le dit Fournier des costes bute sur Raoul Hervieu et sur le dit Gaillart des bus. fo. 9^b.

Thomas le Blont en tient xix perques et iiij pies en son mesuage jousce Thomas le Breton dit Gaillart des costes bute dun but sur la voie de iij pies et autre but sur la rue de Pouppeville. Et en doit son aportant des rentes et services deffus dis.

Henry Aubree en tient ij perques et xiiij pies de terre assavoir jousce la rue et le dit Henry des costes bute dun but sur la voie de iij pies et dautre but sur Thomas le Breton dit Gaillart. Et en doit son aportant des rentes et services deffus dis.

Robin Lemor a cause de sa fame en tient une meson assavoir illenc contenant une perque et ix pies de terre jousce la rue et Thomas le Blont des costes bute sur Thomas le Breton dit Gaillart et sur Thomas le Blont des bus. Et en doit son aportant des rentes et services etc.

Lehan Hermey en tient une vergie et viij pies de terre assavoir jousce la caiche au Senescal et Thomas Caran des costes bute sur Raoul Hervieu et sur Ricart Hamelin des bus. Et en doit son apportant des rentes et services dessus dis.

fo. 10.

Ricart Hamelin en tient une vergie et viij pies a terre assavoir au dic au Fournier jousce la vergie que le dit Hamelin tient du feu au Senescal et le dit Hamelin des costes bute sur le dit Hamelin et sur Raoul Trubleville des bus. Item le dit Hamelin en tient une vergie assavoir au dic au Fournier jousce Thomas le Breton dit Gaillart et le dit Hamelin des costes bute sur Raoul Hervieu et sur Raoul Trubleville des bus. Et en doit son apportant des rentes et services dessus dis.

Raoul Hervieu en tient xxxv perques assavoir au dic au Fournier jousce Thomas le Blont et le camp de la Voiete des costes bute sur la hogue au Fournier et sur le dic au Fournier des bus. Et en doit son apportant des rentes et services etc.

fo. 10^b.

Raoul le Coustour doit ung quartier de avene a la graunt mesure a la Saint Michiel a prendre sur demie acre de terre et vj perques qui sont du feu Ricart le Fevre assavoir sur le douyt qui vient de Mangneville au hamel es Fontenes jousce Pierres le Paillier et Massieu le Franchoiz des costes bute dun but sur le douyt qui vient de Magneville et dautre but sur le heres Colin de Maire.

Perrinet le Paillier filz Thomas doit chinq boisseaux de fourment a la graunt mesure pour v perques et demie de terre sa chambre seante dedens et son courtil qui est du feu Ricart le Feivre jousce le dit Perrinet dun coste et Mons' Guille aux Espalles chevalier dautre coste bute dun but sur le quemin qui vient de la cauchie au mostier de Sainte Marie du Mont et dautre but sur la maison meuable dudit Paillier.

Colin le Dunes filz au Cochon doit demy boissel de fourment a la grant mesure pour demie vergie de terre assavoir en son gardin jousce le douyt qui va du hamel es Fontenes ala quemine de Holedic dun coste bute dun but sur le prey es Pailliers.

Robin le Dunes filz Perrin doit iij fouz tournois a la Saint Michel ij guelines a Noel o hommaige a justice une pieche de prey assavoir en Corbuchon jousce Pierres Hapelin dun coste et le dit Robin et les heres Guilleme Greute dautre but sur le dic de Dallibuc.

Guilleme de la Fontaine le viel doit iij cabos de fourment mesure Destaville a justice sur une pieche de terre contenant viron trente perques assavoir en la croute au Feivre sur le hamel es Fontenes jousce le Seigneur du Buiffon a cause de la terre que fut es Bourdes dun coste et Collecte Bourdet de guerpie Colin Mauduit dautre bute sur Michelet le Paillier dun but et dautre but sur la dicte Collette Bourdet. fo. 11.

Perrin le Boutiller doit chinq boisseaux de fourment a la grant mesure j pain une gueline x. oeufz a justice son mesuage si comme il se pourporte en lonc et en ley contenant xvij perques et xvij pies de terre jousce la voie qui va du hamel es Fontenes au mostier de Sainte Marie du Mont dun coste et dautre coste jousce Jehan Quesnet a cause de sa fame bute dun but sur le chemetiere de Sainte Marie du Mont et dautre but sur le lieu Crespin de la vente Robin Vibet de Carenten et est le tene-ment dessus dit du lieu Ricart le Feivre.

Perrin Vincent dit Segur doit v. fouz a la Sainte Perronnelle a justice sa meson mevable et son courtil assavoir devant le chemetiere de Sainte Marie du Mont contenant vij perques et ix pies de terre par mesure jousce Perrin Boutillier et Jehan Quesnet a cause de sa fame des costes bute dun but sur le chemetiere et dautre but sur le dit Quesnet.

Item le dit Segur doit ung quartier de fourment foy et hommaige pour une pieche de terre contenant demie acre iij perques et xv pies de terre assavoir sur le hamel es Pailliers jous le Seignor du Buiffon et la voie qui vient du hamel es Pailliers au mostier de Sainte Marie du Mont descostes bute dun but sur le douyt qui vient de Magneville au hamel es Fontenes et dautre but sur Perrinet le Paillier filz Thomas et sur la terre qui fut Hebert le Vanier et est la terre dessus dicte du lieu Ricart le Feivre. fo. 11^l.

Les hers Ricart le Guidel doyvent j quartier de fourment o hommaige pour demie acre de terre assavoir en ij pieces, la premiere est assavoir es boques de la Morandiere jousce le quemin qui vient du hamel es Fontenes au mostier de Sainte Marie du Mont et le lieu Crespin des costes bute dun but sur le dit quemin et dautre sur Perrin Vincent dit Segur a cause de la terre que il tient de Jehan Guiffé la seconde pieche est assavoir en clos Jehan Guesnet a cause de sa fame deriere la meson qui fut Ricart Morant jousce Jehan Guesnet a cause de sa fame et le quemin qui vient du hamel es Fontenes au mostier de Sainte Marie du Mont des costes bute dun but sur la dite meson qui fut Ricart Morant et dautre but sur le lieu Crespin.

Le mesuage qui fut Hebert le Vanier si comme il se pourporte en lonc et en ley avec ij hoques de terre qui sont de hors le dit mesuage en but contenant une vergie et demie de terre par mesure

joufce la voie qui vient du hamel es Pailliers au mostier de Sainte Marie du Mont et le mesuage qui fut Jehan Piquot qui est a present Perrinet le Paillier filz Thomas des costes bute dun but sur le quemin qui vient de la cauchie Destoqueville au mostier de Scē Marie du Mont. Et daultre but sur la voie de sur dite. Et prent le Seignor du Buiffon sur cest tenement iij. boisseaux de fourment, ij pains, ij. guelines et xx. oeufs et est du fieu Ricart le Feivre.

fo. 12.

Thomas le Breton dit Gaillart doit j. quartier davene a la grant mesure de la vente Estie le Coustour a justice une pieche de terre contenant iij vergies assavoir en fieu es Petis joufce la caiche au Senescal et le dit Gaillart a cause de sa fame des costes bute dun but sur le fieu Varon que tient Raoul Hervieu et dautre but sur le dit Gaillart a cause de sa fame et sur ung hoquet de terre que Robert le Petit vendit anciennement a Pierres Lacville daultre but.

GUILLAUME VANNONNOISEL, *senl.* (*Seneschal*).

fo. 13.

Ce sont les rentes de Sainte Marie du Mont

qui ne sont pas en franc fieu.

Premierement.

Colin Sebire doit ung quartier de fourment a la grant mesure j. pain une gueline et x. oeufs o hommaige a faire justice sur une piece de terre contenant iij vergies assavoir a Estaville joufce Thomas Bernart et la terre qui Perrin Lespiffier dit Estuquebonnel fouldoit tenir de Thomasse aux Espaulles des costes et bute des bus sur le quemin Destaville tendant au mostier et sur le quemin de la voie Hommoise tentante Destaville a Franqueville de la vente Jehan des Plains escuier si comme il appert par lettre.

Raoul Mansel doit sept boisseaux de fourment mesure Destaville ij. guelines o hommaige a faire justice sur deux pieces de terre, la premiere assavoir joufce la caiche es Manseaux dun coste et dautre coste joufce la terre que Colin Sebire tient de Jehan Fortescu et bute dun but sur le douyt de la fontaine Saint Martin et de lautre but sur le dit Raoul, la seconde piece es Mollans joufce le dit Raoul dun coste bute dun but sur le terrou de Bouteville de la vente Jehan des Plains.

Ce sont les ventes de sainte marie du mont qui ne sont
pas en franc fieu
premierement

Colin sebitre doit deux quartiers de fourment a la grant mesure q'
par une quelme et x. cens o. honneste a faire justice sur une piece de terre con
tenant iii. verges ass. a estamille iuste thas bernart et laire q' par les püssiers dit
esquie bonnot souloit tenir de thasse aux espanilles de scotes et bute de bue
sur lequint de samille tendant au mofac et sur lequint de la voir le moise de sa
mille tendante de samille a franquille de la vente jehy de splains estimer si come
il appt par lie

Raoul mansel doit sept boisseaux de fourment mesure de sa
mille ii. quelmes o. honneste a faire justice sur deux pieces de terre la premiere
ass. et iuste la carche es mansseaux dmy cote et dautre cote iuste laire q' colin
sebitre tient de jehy fort esu et bute dmy but sur le dmyt de la fontaine saint
martin et de l'autre but sur ledit raoul. La seconde piece es mollans iuste ledit
raoul dmy cote bute dmy but sur le brou de butemille de la vente jehy de a
plains

Sanfon Jobelin et ses perchoniers doit iij boisseaux de fourment mesure Destaville o hom- fo. 13^b.
maige a justice une piece de terre assavoir a la Maire es Vis contenant viron iij. vergies jousce Jaquet
le Coq et Colin Sauvegram descostes et bute sur Robinet Beaugendre et sur le terrou de Hyeville des
bus de la vente Jehan des Plains.

Thomas Bernart Destaville doit ij boisseaux et demy de fourment mesure Destaville j. pain une
gueline o hommaige a justice une piece de terre assavoir a Estaville contenant demie acre jousce la
terre que Colin Sebire tient de Jehan Fortescu dun coste et dautre coste jousce la terre que Perrin
Maillart tient de Thomasse aux Espaulles bute dun but sur le quemin Destaville qui va au mostier de
Sainte Marie du Monte et dautre but sur la voie Hommese. Item le dit Thomas doit vj fous
tournois de rente o hommaige a paier a la Sainte Michel et moitie a la Scē Perronnelle a justice une
piece de terre contenant demie acre assavoir es Mollans jousce Raoul Mansel et les heres Guilleme
Bourdet des costes bute sur les heres Guillome Petitvallet dun but et dautre but sur le dit Thomas de
la vente Jehan des Plains.

Robinet Beaugendre doit ij boisseaux de fourment mesure Destaville o hommaige pour une
piece de terre assavoir en clos de Repentigny et en la croute de audeessus jousce les hamulles dun coste
bute dun but sur le douyt de Pouquefontaine et passe le quemin Destaville permy entra la croute et le
gardin de la vente Jehan des Plains.

Thomas Bessin doit j. quartier davenne mesure Destaville une gueline et demie et xv. oeufs. fo. 14^a

Guilleme le Suour doit lui et ses perchoniers vj. boisseaux de fourment et vj. boisseaux davenne
mesure Destaville et une livre de poivre a la Saint Michel iiij. capons et une aoue a Noel et iiij pains
de manses et xxviiij. manses a la Perrenelle foy et hommaige a justice pour ce ix pieces de terre et
chescune piece pour le tout, la premiere piece contenant une vergie et demie assavoir sur le coullom-
bier Robin Beaugendre jousce la de guerpie Perrin Bourdet dun coste bute dun but sur Perrin Rouffelin.
La seconde piece est assavoir illec jousce les heres Robin des Pons dun coste bute sur le dit Rouffelin et
contient demie vergie. La tierce piece contient une vergie et est assavoir en la Perrelle jousce le dit
Rouffelin bute sur Michiel le Carretel dun but, le quarte piece est assavoir jousce le douyt qui va a la
commune Destaville dun coste et est assavoir deriere le mesuage qui fut Sanfon Ouvris et dautre coste
est desfique es camps de la Perrelle. La quinte piece est assavoir illec contenant demie acre ou viron
jousce le dit douyt bute sur la terre que tient le dit Suour. La siette piece est assavoir a la Perrelle
contenant demie acre jousce la terre que tiennent les heres Robin des Pons de Monseignor aux
Espaulles qui furent Pierres des Mostiers dun coste et Thomas le Paillier dautre coste bute sur le tene-
ment que tient Guilleme de la Fontaine de Thomasse aux Espaulles dun but. La septieme est assavoir
en ung gardin jousce Guilleme le Berriner dun coste et le douyt qui va a Holledic dautre coste bute
dun but sur la maison que fouloit tenir Thomasse le Paillier dudit Guillome et dautre but sur la terre
que tient Guillot le Suour de Jehan Fortescu. La viij^e. piece contient une vergie et xv perques

fo. 14^b.

que tient Thomasset Bourdet jousce Thomas Bernart a cause de sa fame dun coste et dautre coste jousce la terre que tiennent les heires Robin des Pons de Monseignor Guillem aux Espaulles a cause de la terre qui fut Perrin des Mostiers bute dun but sur la terre que tient Guillem de la Fontaine de Thomasse aux Espaulles et dautre but sur Perrin Rouffelin le jeune. Et la butiere de terre qui contient xv perques est assavoir jousce la dicte terre dun coste bute dun but sur la terre que tiennent les heirs Robin des Pons dudit Monsieur Guillem et dautre but sur le dit Rouffelin le Jeune.

Vincent Gaingne Destaville doit j boissel de fourment mesure dillenc a justice sur tout son heritaige de la vente au dit Vincent qui est obligie a paier ou faire paier par voie dexecution si comme il appert par lettres sur ce faictes.

fo. 15.

Les heirs Robin des Pons escuier doyvent xx. soulz tournois a la Saint Michel foy et hommaige et en puet faire Jehan Fortescu et ses heres justice sur la moitie du manoir et du coullombier et des gardins de la court Destaville qui contient xiiij vergies et demie de terre et sur la moitie du preys Destaville qui contient xxxiiij vergies par devers la manoir du Buiffon et sur la moitie de ij moullins lun a vent et lautre a eau et sur la moitie de x vergies de terre labourable qui est assavoir sur le dit manoir et enmeys et sur chescun pie des dis tenemens pour le tout et doyvent les dis heres au dit Fortescu et a ses heres, lx soulz de plain relief et xxx s' de demy relief quant le cas soffre, et est ceste rente de la vente Ricart de Viex Daudonville la Hubert et damoisele Jehenne de Troismons sa fame de lheritage a la dicte fame si comme il appert par lettre royal sur ce faite et sont les dites maries obligie a paier ou faire paier la dicte rente par voie dexecution non obstant la justice desur dicte tant que eux aient baillie a lour pris per bus et par costes les tenemens dessus-dis audit Fortescu ou a ses heres par devant tabellion royal, etc.

Jehan Autin doit a cause de sa fame qui fut fille Jouhan Lemor iiij deniers tournois a justice son mesuage assavoir a Franqueville jousce Phōt Petitvallet et la rue par quoy len va de Franqueville a Bouteville des costes bute sur le dit Autin et sur le mesuage Thomas Jamet desbus.

Ricart Alixandre doit ung quartier de fourment mesure de Brucheville, ij pains ij guelines et xx oeufs foy et hommaige pour la granche qui fut Ricart Vaquelin et le gardin dendroit de la dicte granche si come il se pourporte en lonc et en ley jousce le tenement de la vielle meson mevable qui fut Laurence Vaquelin par devers solail levant en alant aval le gardin au linel du pignon de la dicte meson jusque au ruel qui depart le fieu a labbe de Montebourg et la rue de Holledic des costes bute sur la dicte rue et sur le fieu labbe de Montebourg des bus. Et ne peult james luy ne ses heires deleffier le dit tenement quil nen paient C. soulz tournois de contre plege si comme il appert par lettre de roy sur ceste faite de lobligacion Ricart Vaquelin qui fut passee devant Pierres Osber tabellion lan mil ccclxxv. le iiij^e jour de Novembre.

La de Guerpie Michiel Alis dit Michelot de Brucheville doit ung quartier de fourment a la fo. 15^b.
Saint Michiel mesure de Brucheville j. pain une gueline a Noel foy et hommaige a justice pour la
dicte rente sur une partie de son herbage assavoir au hamel es Herichies une partie de sa meson seante
dedens par la crois de la dite meson la dite crois seante dedens et va tout du lonc par le travers de la
meson mevable du duyt jusque au quemin d'un coste et d'autre coste jousce la ruelle appelee la voie
juree. Item a justice la terre de audeffus du quemin jousce la terre que Colin le Francois tient de
Guille de Boulligny escuier a cause de sa fame et la dicte de guerpie des costes bute sur le quemin et
d'autre but en droit d'un camp jusque au marefcq et des autres camps sur la deffique des camps que la dicte
de guerpie tient de Thomasset Bourdet feure de la vente Thomas Penaut escuier. Si comme il appert
par lettre real sur ce faicte qui est obligie a fournir la dicte rente sans dechie, et fut passee la dicte
lettre devant Pierres Osber tabellion lan mil ccclxxv le xviii^e jour dottembre (*sic*).

Michiel Noel doit iij boiffeaux d'avenne mesure de Tollenast o homaige pour ij pieches de terre la
premiere est assavoir a la maire ereche contenant xv perques de terre ou viron jousce Guillot Noel et
les heres Rogier Bouchel des costes bute d'un but sur Guillot Noel et d'autre but sur le houelenc que
soulait tenir Robin Rochet. La seconde pieche est assavoir en Lalonde et contient viron demie vergie
de terre jousce les heires Rogier Bouchel et Collete Beaugendre de guerpie Perrin Bourdet des costes
bute d'un but sur les heires Rogier Bouchel et d'autre but sur le marefcq.

Henry du douyt de Saint Cosme du Mont et sa fame doyvent j quartier de fourment mesure fo. 16.
dudit lieu par lettre executore a justice sur tout le ritaige de la dicte fame si comme il appert par lettre
real sur ce faicte.

Mons' Guilleme aux Espaulles chevalier doit C soulz tournois de rente au jour Saint Michel
par lettres executore du demourant de la par assiete du mariage Guilleme aux Espaulles sa seur jadis
fame Pierre Fortescu a justice sur tout son heritage et sur chescun pie pour le tout si comme il
appert par lettre real sur ce faicte.

Cy ensuient les teneurs du franc fieu

Destaville feant en la paroisse de Sainte Marie du Mont appartenant a Richart

Fortescu escuier, Seigneur du dit fieu et les noms des perfonnes qui

les tiennent et les rentes que eux en doyvent.

Premierement.

fo. 17.

Damoysselle Jehanne Beaugendre tient luye et ses perchonniers du dit fieu par foy et par hommaige et par resseantize une enesche appelle lenesche qui fut Thomasse Mansel contenant xv. acres de terre. Et en doyt luye et ses pchonniers xxv. soulz tournois au jour de la Sainte Perronelle vij. deniers pour païns iij guelines et demye a Noel, donc il y a des xv. acres dessus dictes vj. acres qui sont du fieu appelle le fieu du Luminaire es queilles vj. acres Perres Blonville se dit avoir le droit de gaige et plege. Et sont subjetes es rentes dessus dictes alantes audit **Fortescue** par la main de la dicte damoysselle. Et yprent le dit Bloville xij deniers passant par la main de Colin Pain sur les vj. acres dessus dictes. Et le roy ya aprendre j. boiffel et demy de bernaige par la main des heires Henry Houchart. Et les heres Guille de Saint Martin xiiij deniers et j boiffel de bernaige. Et les doivent Lespicier et les heres Jehanne de Saint Martin les dis xiiij deniers et bernaige. Pour les quelles rentes alantes au dit **Fortescu** il peult faire sa justice par luy ou par son prevost Destaville sur toutes les dictes xv acres de terre. Et en doit reliefz xiiij.^{es} service de prevoste * * * * parte quant eulz chaient.

17^b.

Donc la dicte damoiselle en tient en sa main xv vergies de terre en manoir qui fut Thomasse Mansel et la croute de dessus jousce Raoul Mansel et la dicte damoiselle descotes bute au douyt et au quemin Destaville des bus. Et la croute jousce Thomas Guedon et le dit Raoul descotes. Et passe la voie Hommese parmy. **I**tem xxx perques jousce Guille du Hamel et Robin Beaugre des costes bute au dit douyt. **I**tem xxx perques en clos de Repentigny jousce la dicte damoiselle et passe le quemin Destaville parmy. **I**tem xxx perques jousce Thomas Beruart bute a la dicte voie. **I**tem vergie et demie a la voie Hommese jousce la de guerpie Colin Mauduit et est vaindic dautre bute sur la dicte voie.

Thomas Guedon lv. perques jousce la dicte damoiselle et ledit Raoul descotes et passe la dicte voie parmy.

Raoul Mansel iij. vergies v. perques et demye jousce le dit Guefdon et le dit Raoul descostes et passe la dicte voie parmy. **Item** le dit Raoul en tient xiiij perques en gardin jousce le dit Raoul descostes bute sur la dicte voie. **Item** x. perques et demye jousce la dicte damoiselle et la granche dudit Raoul des costes bute sur le dit quemin en son en gardin. **Item** vergie et demye es fosse jousce Jehan le Clerc et le dit Raoul des costes bute sur le dit Raoul. **Item** vergie et demie es rondeaux jousce noble homme Mons' Guilleme aux Espaulles et le dit Raoul des costes bute au clos roux.

Les religieux de Blanchelande lvj. perques de terre jousce le dit Raoul et Ricart Hauchemail des fo. 18. costes bute sur la dicte voie.

Jaquet le coq et Perrin le Coq une acre de terre a la maire es Vis jousce Sanfon Jobelin et le dit Jaquet descostes et passe le quemin par my.

Colette de Guerpie Colin Mauduit iij vergies de terre a la voie Hommese jousce la dicte damoiselle des costes bute a la dicte voie.

Jouhan le Caretel es ses parchonniers en tiennent donc le dit Jouhan en tient en sa main demie acre a la Maire Liegart jousce Guillem Herenge et Jehan le Clerc des costes et passe le quemin Destaville permy bute sur Thomas Bourdet. **Item** vergie et demie soubz la maison fiset jousce Colin Sebire et Jehan le Clerc des costes bute sur le dit douyt et sur le dit Clerc des bus.

Colin Sebire en tient vergie et demie en Morllanc jous Collete de guerpie Colin Mauduit et sur leir Colin Robiche des costes bute sur la dicte demoyfelle et sur Thomas Bourdet des bus.

fo. 18.

La de Guerpie Colin Mauduit demie vergie jousce le dit Sebire et le dit Bourdet des costes bute sur la dicte damoiselle et sur le dit Bourdet des bus.

Raoul Mansel une vergie jousce le dit Raoul et Rogiet Bermont des costes bute sur le dit Raoul et sur le terrou de Bouteville des bus.

Thomas Bourdet une vergie es camps jousce le dit Thomas Bourdet et la dicte de guerpie des costes bute sur la dicte damoyfelle et sur le dit Bourdet des bus.

Les hers Colin Robiche xxxj. perque de terre es fosse jousce les dis heres et Rogiet Bermont des costes bute sur le dit Raoul et sur le terrou de Bouteville des bus.

Rogier Bermont xv. perques de terre illec jousce les dis heres et le dit Raoul des costes bute sur le dit Raoul et sur le dit terrou des bus.

fo. 19.

Les hers Jehanne de Saint Martin vergie et demie et xj perques en son mesuage et en fa croute jousce Colin Lespicier bute sur le dit Espicier.

Les hers Sanson Rouffelin, vergie et demie en Guevemare jousce la dicte damoyfelle bute sur le queminet.

Guichart de la Haule v. vergies de terre en Lalande jousce Jehan de Hauville bute sur le terrou de Hieville.

Colin Lespicier xxx perques de terre assavoir en fa croute jousce le tenement que fut Jehenete de Saint Martin et le dit Espicier des costes bute sur le dit Espicier et sur Raoul Mansel des bus. Item de une acre al a mare es Vis jousce le dit Espicier et est vaindic des costes bute sur la dicte damoyfelle et sur Robin Sauvegrin des bus. Item demie vergie a la mare au Nourry jousce le dit Espicier et Raoul Mansel des costes bute sur le chemin qui va de Boutemarefc * * * * *¹ et sur le dit Espicier des bus.

Les hers Philippe le Bracheur, vergie et demie au Hamel es fuours en Bougon jouz * * * * *² Item une vergie et xxx. perques a la maison au Maignien jousce Thomas Bernart bute sur le terrou de Hieville et la souloit tenir Perres le Coq. Et en doit la dicte esnee et ses perchonniers vij d' pour chescun vergie pour acquit passe par la main de la dicte ainsnee.

fo. 19^b.

Baillie par fin de teneur ceste ainsneche par damoyfelle Jehanne Beaugendre ainsnee du dit lieu es ples du dit **Fortescu** tenus a Estaville parmoy Jehan Barbey seneschal du dit **Fortescu** lan mil ccc.^{xx}iiii et sept le Mercredi xvij jour de Juillet.

¹ Blank in original.² Ibid.

Raoul Mansel tient du dit lieu Destaville luy et ses perchonniers par xv. acres de terre par foy et par hommaige et par resseantize lainesche qui fut Simon Mansel et en doit luy et ses perchonniers xxv. soulz tournois au jour Sainte Perronnelle vij d. pour pains iij guelines et demie a Noel donc il ya des xv acres dessus dictes vj acres qui sont du lieu apelle le lieu du Luminaire es quelles vj acres Perres Bloville se dit avoir le droit de gaige et plege. Et sont subiecte es rentes dessus dictes alans au dit escuier per la main du dit Raoul. Et yprent le dit Bloville xij deniers passe par la main Colin Pain et le roy yprent j boissel et demy de bernaige par la main des hers Henri Houchart pour les quelles rentes alants audit Fortescu il peult faire sa justice par lui ou par son prevost Destaville sur toutes les dictes xv. acres de terre. Et en doit reliefz xiii. service de prevoste et les aides coustumieres quant ilz chaient.

Premierement.

Le dit Raoul en tient en sa main en son mesuage ou il demoure demie acre jousce les religieux de Blanqueland et le dit Raoul des costes bute sur le quemin par quoy len va Destaville a Sainte Marie du Mont. Item en son autre mesuage iij vergies et x perques jousce Thomasset Bourdet et Robin Beaudre des costes bute sur le dit quemin et passe la caiche permy per quoy len va a la Fontaine Saint Martin. Item en sa croute v. vergies jousce Jehanne Beaugendre et Ricart Hauchemail des costes bute sur la voie Hommese. Item une vergie et x perques jousce Jehanne Beaugendre et Colin Lespicier des costes bute sur la dicte voie. to. 20.

Item vergie et demie es rondeaux jousce le dit Raoul des costes bute sur le dit Colin Lespicier. Item vergie et demye es besques jousce le dit Raoul et Jehan le Clerc descostes bute sur ledit Raoul. Item une acre en prael jousce ledit Espicier et Jehanne Beaugendre des costes bute sur le dit quemin. Item iij vergies en dit prael jousce Robin Beaugendre et Colin Lespicier des costes bute sur le dit quemin.

Colin Mansel dit Lespicier en tient demie vergie en son mesuage jousce Pouquefontaine et bute a la voie qui va a Hieville. Item en sa granche et en sa croute demie acre jousce le dit Colin et la dicte voie des costes bute sur Lalande. Item l. perques jousce Raoul Mansel des costes bute sur le dit quemin qui va Destaville a Sainte Marie du Mont. Item l. perques a la grise pierre jousce Thomas Menart et le dit Colin des costes bute sur le clos au Nourry. Item xxxv. perques illec jousce le dit Colin et Jaquet le Coq des costes bute sur le dit clos. Item une vergie de terre ou viron qui fut Jehan le Ffraey a cause de sa fame jousce Perrin Rouffelin et Thomas Bourdet des costes bute sur le dit clos. Item demie vergie a la mare au Nourry jousce le dit Raoul Mansel et le dit Colin des costes bute sur le terroure de Blouville.

Jehanne Beaugendre en tient une acre et xv perques jousce la diète Jehanne et la caiche par quoy len va a La Fontaine des costes bute sur le douyt Destaville. *Item* xxx. perques es fosse jousce Thomas Leroy et Colin Bastart des costes bute sur la diète Jehanne. *Item* xxx perques en Repentigny jousce Robin Beaugendre des costes bute sur le quemin Destaville. *Item* vergie et demie et iiij perques en Guevemare jousce la terre qui fut Sanfon Rouffelin et Robert Beaugendre des costes bute sur le queminet. *Item* xxxv. perques en la croute Raoul Manssel jousce le dit Raoul bute sur la voie Hommese.

fo. 20^b.

Colin Jamet demie vergie de terre jousce Robin Beaugendre et le dit Colin des costes bute sur le douyt Destaville.

Guichart de la Haulle demie acre en Lormal jousce Perrin Rouffelin et les heirs Henri Bourdet des costes bute sur Thomas Bourdet.

Perrin Guichart une vergie a la Mare Liegart joux Perrin Maillart et Jehan le Clerc des costes et passe le quemin parmy.

Jehan le Clerc une vergie illec jousce le dit Perrin et Jehan le Caretel et passe le dit quemin parmy. *Item* vergie et demie de terre es beques jousce le dit Raoul Mansel, des costes bute sur le dit Raoul. *Item* xxviiij. perques es fosse jousce le dit Raoul et Colin Bastart des costes bute au terroure de Bouteville.

Colin Bacon une vergie et xij perques es fosse joux Jehanne Beaugendre et Jehan le Clerc des costes bute sur ledit terroure.

Jehennet Le Marchant vergie et demie de terre en la grise pierre joux Colin Jamet et Thomas Menart bute sur le clos au Nourry.

fo. 21.

Thomas Menart vergie et demie illec jousce le dit Jouhan et Colin Lespicier des costes bute sur le dit clos.

Jaquet le Coq une vergie a la grise pierre jousce Colin Lespicier et Perrin Rouffelin des costes bute sur le dit clos.

Perrin Rouffelin une vergie jousce le dit Espicier et le dit Jaquet des costes bute sur le dit clos.
Item une vergie illec jousce le dit espicier et Thomasset Bourdet des costes bute sur le dit clos.

Thomas Bourdet xxiiij perques de terre jousce le dit Espicier et Perrin Rouffelin des costes bute sur le dit clos. **Item** xxv. perques ou viron jousce le dit Raoul et les dis religieux de Blanquelande des costes bute sur le quemin par quoy len va Destaville au mostier de Sainte Marie du Mont.

Colin Sauvegrain demie acre de terre a la maison au Maiguien jousce Sanfon Robelin et Jehanne Beaugendre des costes bute sur le dit quemin. **Item** xxv. perques a Vautierbu jousce le dit Espicier et le dit Sauvegrein des costes bute sur le quemin par quoy len vient de Bouteville a Estaville.

Sanfon Jobelin une vergie a la maison au Maiguien jousce le dit Sauvegrain et Jehanne Beau- fo. 21^b.
gendre des costes bute sur le quemin par quoy len va Destaville a Sainte Marie du Mont.

Jehan de Beauville demie acre et demie vergie jousce Guichart de la Haulle et le dit Raoul des costes but sur le dit Espicier. **Item** demie acre es camps des Brears jousce Robin Beaugendre et Jehan Piegier bute sur le terrour de Bouteville.

Raoul Mansfel demie acre et demie vergie en Lalande jousce Jehan de Beauville et la voie par quoy le va Destaville a Hieville bute sur le dit Colin Lespicier. Et doivent le dit Raoul et ses perchonniers vj deniers pour vergie alans audit **Fortescu** passants par la main du dit ainsne.

Baillie par fin de teneur ceste ainesche par Raoul Mansfel ainsne du dit lieu es ples du dit **Fortescu** tenus a Estaville par moy Jehan Barbey Seneschal du dit **Fortescu** lan mil ccc^{xx} iiii et sept le second jour de Juillet.

Thomas Bourdet tient lainesche es Bourdes par onze acres et demie de terre par foy et par hommaige et par resseantize. Et en doit lui et ses perchonniers iij s. tournois de rente au terme de la Perrenelle ij cappons a Noel et xx oeufs a Pasques. Et auxi doit reliefs xiiij^{es} service de prevost et les iij aides coustumieres quant eulx chaent. Et auxi en doit le dit Bourdet xiiij manses daide apelle fo. 21.
laide de Vernon alante a Neauhou par la main de mon prevost. Et mon prevost la doit paier au prevost de Monseignor Guillem aux Espailles chli le quel les doit paier au prevost du Baron des Biars a cause de sa terre de Neauhou le jour de la feste Saint Nicolas dyver.

Premierement.

Le dit Thomas Bourdet en tient en sa main une pieche en son manoir contenant une acre de terre ou viron jousce Jehan Asnebrun et Perrinet Bourdet des costes bute sur le douyt qui va de Franqueville au moulin du Buiffon et sur Rogier Bouteville des bus. **Item** en clos de aval le douyt xxx perques ou viron jousce le dit douyt et la ruel le qui va au hamel de Franqueville des costes bute sur ledit Perrinet et la de guerpie Colin Mauduit des bus. **Item** a la Marete iij vergies et demie de terre ou viron jousce le dit Perrinet et Guillaume de la Fontaine des costes bute sur Michel le Clerc et sur le dit douyt des bus. **Item** en Ormal iij vergies de terre ou viron joint a la dicte de guerpie et au dict Perrinet des costes bute sur Jehan Asnebrun et sur Thomas Bourdet des bus. **Item** a Martinmare demie acre et xvij perques de terre ou viron jousce labbe et convent de Blanquelande et la dicte de guerpie des costes bute sur Robin le Jolis et le dit Bourdet des bus. **Item** es Landes une vergie et xxx perques ou viron jousce le dit Perrinet et la dicte de guerpie des costes bute sur Thomas Bernart des bus.

fo. 22^b.

Perrinet Bourdet filz Henry en tient en son manoir une acre ou viron jous le dit Thomas Bourdet et la dicte de guerpie des costes bute sur le dit douyt et sur Rogier Boutemelle des bus. **Item** aval le douyt xxx perques jous le dit douyt et la dicte ruelle des costes bute sur le dit douyt et sur le dit Thomas des bus. **Item** illec iij perques de terre jousce la dicte ruelle et la dicte de guerpie des costes bute sur elle des bus. **Item** illec demie vergie en honneleuc jousce la dicte de guerpie des costes bute sur le dit Rogier et sur le dit Thomas Bourdet des bus. **Item** a la mairete iij vergies et demie ou viron jous la dit vergie et le dit Bourdet des costes bute sur ledit douyt et sur ledit Michel le Clerc des bus. **Item** en Ormal demie acre ou viron jous le dit Thomas Bourdet et les terres Guichart de la Haulle des costes bute sur le dit Thomas Bourdet et sur ledit Asnebrun des bus. **Item** a Martinmare demie vergie jous la dicte de guerpie et le dit Guichart des costes bute sur le dit Thomas Bourdet et sur le dit Jolis des bus. **Item** es Landes xv perques ou viron jous le dit Thomas Bourdet et est honneleuc des costes bute sur le dit Bernart desbus.

Colete de guerpie Colin Mauduit une vergie et xxx perques de terre en son manoir jousce le dis Bourdes des costes bute sur le dit douyt et sur Rogier Boutemelle des bus. **Item** en clos hue iij vergies ou viron jousce la dicte ruelle et Guillaume Herengier des costes bute sur le quemin de Carentin et sur le dit Perrinet des bus. **Item** iij perques illic jousce la dicte ruelle et la dicte de guerpie des costes bute sur elle et sur ledit Perrinet des bus. **Item** a la marete vij vergies de terre ou viron jousce le dit Michel le Clerc et ledit Perrinet des costes bute sur ledit Michel et sur le dit douyt des bus. **Item** en Ormal une vergie de terre ou viron jousce le dit Fortescu et le dit Thomas Bourdet des costes bute sur le dit Thomas Bourdet et sur le dit Asnebrun des bus. **Item** a Martinmare xxx perques ou viron jousce les dis Bourdes des costes bute sur le dit Bourdet et sur le dit Asnebrun des bus. **Item** es Landes une vergie et xxx perques ou viron jous le dit Bernart des costes bute sur ledit Bourdet et sur le fieu de Tollenast des bus.

Robin le Jolis trois vergies et demie et chinq perches ou viron en son mesuage jousce le dit Jolis des costes bute sur les preaux es Pailliers et sur le quemin qui va du mostier a la maison Robin des Pons des bus. fo. 23.

Toret Mauclos tient en son herbage x perches de terre jousce Perres Hoeville a cause de sa fame des costes bute sur le quemin de Carentin et sur Thomas Bourdet des bus. Et yprent le dit Thomas Bourdet i boiffel de fourment mesure de Tollenast et j. denier a Noel, et Perres Hoeville vij quartre de fourment a cause de sa dicte fame.

Baillie par fin de teneur ceste ainesche par Thomas Bourdet ainsney du dit lieu es ples du dit Fortescu tenus a Estaville par moy Jehan Barbey feneschal du dit Fortescu lan mil ccciiii^{xx} et sept le Mercredi ij^e. jour de Juillet.

Perrin Maillart Destaville tient une acre de terre par foy et par hommaige assavoir a Estaville sur la Mare Liegart entrans de Martinmare jousce Perrin Guichart a cause de sa fame et la terre que souloit tenir Perrin Guesdon dit le Priour des religieux de Blanqueland bute dun but sur Thomas Bourdet et dautre but sur le quemin qui va Destaville a Sainte Marie du Mont. Et en doit vj boiffeaux de fourment j pain une gueline et x oeufs service de prevoste reliefs xiii^es et les aides coustumiers quant eulz chaient.

Baillie par fin de teneur es ples dessus dis.

fo. 23^b.

Colin Sebire Destaville tient x vergies et demie de terre par foy et par hommaige et par resseantize assavoir Destaville en trois pieches. La premiere piece en son mesuage contenant vergie et demie de terre jousce le tenement que tient le dit Colin de Mons' Guillem es Espaulles dun coste et dautre coste jousce le tenement que tient le dit Colin de Guillem Danneville escuier a cause de sa fame bute dun but sur le quemin qui va de la maison au dit Colin au mostier de Sainte Marie du Mont et dautre but sur le douyt de la croute Saint Martin. La seconde piece enchu trans mesmes contenant iij vergies jousce la terre que tient le dit Colin de Guille Danneville escuier a cause de sa fame dun costey et Jehan le Caretel dautre bute sur le douyt de la croute Saint Martin dun but et dautre sur le quemin qui va de la maison au dit Colin au mostier de Saint Marie du Mont. La tierche pieche appelle le clos qui fut Colin Mansel contenant vj vergies jousce Raoul Mansel dun coste et Phôte la Petite a cause du tenement que elle tient de damoiselle Thomasse es Espaulles dautre coste bute sur le douyt de Saint Martin dun but et dautre but sur le clos que souloit tenir Perrin Guesdon dit le Priour des religieux de Blanquelande. Et en doit le dit Colin xiiij boiffeaux de fourment a la mesure Destaville j pain j gueline a Noel et x oeufs a Pasques. Et service de prevoste reliefs xiiij^es. et aides coustumieres quant eulz chaient.

Baillie par fin de tenour.

M. le mesuage qui fut Sanfon Ouvris et toutes les terres appartenant au dit mesuage si comme il se pourporte en lonc et en ley qui sont a present en ma main sont de mon franc fieu Destaville le quel tenement est bailli a Thomas Bessin et en doit sept quartiers de fourment et sept quartiers d'avenes, iiij pains, iiij guelines, et xl. oeufs et xx s. tournois a la Parnelle foy et hommaige et resseantize et doit service de prevoste reliefs et xiiij^{es}. et les iiij aides coustumieres et est tenu par vj acres de terre. **Item** le mesuage qui fut Thomasset le Pallier assavoir au hamel es Palliers avec ix vergies de terre assavoir en la croix Destaville sont du dit franc fieu et sont a present en ma main, etc.

fo. 24.

Cy ensuit la teneur de la lettre comme Mons^r. Guillem des Mostiers chivalier bailla anciennement le franc fieu Destaville a Raoul de Mons jadis escuier.

Novelint universi tam presentes quam futuri quod ego Guillelmus de Monasteriis miles, tradidi ac finaliter dimisi Radulpho de Mons scutifero tridecim libratas et quatuor solidos tournois annuatim de redditu in exeambio propter omnes redditus et homagia quos habebat et percipiebat annuatim de redditu in parrochia de Bellavalle et in parrochia S^ci Petri Coustancie de maritaggio Lucie uxoris sue et filie mee percipiendas et habendas videlicet tridecim libratas et quatuor solidos predicto Radulpho scutifero et suis heredibus a predicta Lucia exeuntibus, videlicet. in parrochia Sancte Marie de Monte et in parrochia Sancte Marie Ecclesie videlicet super Thoma de Anneville viginti solidos turonenses quos mihi debebat et reddebat annuatim redditus de quodam molendino ad aquam quod de me tenebat per homagium in parrochia Sancte Marie Ecclesie et in parrochia Sancte Marie de Monte super tenemento Roberti le Paillier tres bucellos frumenti ad mensuram parrochie supradicte duos panes de iiij^{or} denariis turonensibus duas galinas et tres capones super tenemento Thome Bourdet tres solidos duos capones et viginti ova super tenemento Rogeri Mansfel quinquaginta solidos turonenses septem panes de quatuordecim denariis turonensibus et septem galinas. Super Guillelmi Mansfel quatuor quarteria et duos bucellos frumenti duos panes de iiij^{or} denariis turonensibus et duas gallinas. Super tenemento Henrici Beruart quinque quarteria et duos bucellos frumenti duos panes de iiij^{or} denariis turonensibus, tres galinas et decem ova. Super tenemento Petri Ouvris novem quarteria et duos bucellos avene quatuor quarteria frumenti viginti tres solidos turonenses tres panes et sex denarios turonenses, iiij^o gallinas et xx^{ti} ova. Super tenemento Henrici Gillebert iiij^{or} quarteria et tres bucellos frumenti et iiij^{or} capones. Super tenemento Rogeri Mansfel senioris duo quarteria frumenti unum panem de duobus denariis turonensibus et unam gallinam. Super tenemento Rogeri dicti Magni tria quarteria frumenti et duas gallinas. Et super tenemento dicti Cofinet duo quarteria frumenti ad mensuram superius nominatam et unam gallinam. Hec autem omnia supradicta predictus Radulfus et heredes sui a predicta Lucia uxore sua venientes habebunt et jure hereditario possidebunt cum omnibus homagiis et juribus que habebam seu habere poteram super omnibus tenementis superius nominatis. Ita tamen quod ego predictus Guillelmus miles vel heredes mei predicto Radulpho scutifero et heredibus suis a predicta Lucia uxore sua procreatis supradicta omnia et singula garantizare tenemur pro excambio facto gratanter et

fo. 24^b.

ab utraque parte concessio vel excambiare valore ad valorem in meo proprio hereditagio si predictos redditus seu quemlibet eorum garantizare non possemus. Et ut hoc sit firmum et stabile presentem cartam sigilli mei munimine roboravi. Actum anno gracie mill^{mo}. ducentesimo sexagesimo octavo mense Maii.

Item enfuit la tenour dune autre lettre comme Jehan Fortescu escuier a le droit.

A tous ceulz qui ces lettres verront ou orront Ricart Coudran chevalier baille de Madame la Duchesse Dorliens en ses terres de Normendie et garde du sceel desobligacions de la Viconte de Saint Sauveur Lendelin salut. Sachent tous que pardevant Pierres de Marrignie clerc tabellion jure quant a ce furent presens noble homme et noble dame Mons^r Guillem de Briqueville chevalier Sire de Laune et dame Marie de Couxi sa fame a la quelle il donna auctorite quant a ce qui confesserent de leurs bonnes voullentes sans nul contraignement que eulz avoient vendu et transporte quitte sesse et delesse a fin deritaige a tous jours mes a Jehan Fortescu escuier toultes les rentes services faissances et redevances homaiges et autres choses que eulz avoient et pouvent avoir et demander en la ville de Sainte Marie du Mont et en la ville de Brucheville soit en franc lieu ou de hors franc lieu en court et usaige et en toulte autres chosses de quil condicion quil soient sans y riens excepter. Et fut faicte ceste vente par le pris et nombre de cent et cinquante frans dor du coing du Roy notre Seigneur et de bon poiz tous quittes a la main des dis chevalier et dame donc eulz se tindrent pour bien paies par devant le dit tabellion. Pour quoy il promidrent pour eulz et pour leurs heres la dicte vente garantir et deffendre vers tous et contre tous audit Jfortescu et a ses heres par paiant en toute les rentes et redevances qui deubz en sont ou ferroient en temps advenir a qui que ce soit que le dit Jfortescu et ses heres en paeront. Et quant a toutes les chosses dessus dites et chescune dicelles tenir faire et a complir en lestat que de sur est dit et devise les dis chevalier et dame chescun en son fait obligerent eulx et leur heres et tous leurs biens meubles et heritaiges presens et advenir a estre prins vendus et despendus par justice pour deffaute de ce enteigner. Et pour les coux et les despens pour ce fais et soustenus rendre donc le porteur de ces lettres ferroit creu par son serment sans autre prouve. En renoncant quant a ce a toultes les choses et chescun dicelles qui aidier et valoir leur pourront avenir contre la teneur de ces presentes. Es quelles nous a la relacion du dit tabellion, En tesmoing de ce a nous mis le feel dessus dit sauf autri droit. Ce fut fait lan de grace mil trois cens et quatre vins la quart jour du mois d'avril.

ainsi signe.

P. Mřegny.

Cy ensuient les teneurs du franc fieu de

fo. 26.

Mons feant en la parroche de Sainte Marie du Mont et de Brucheville appartenant
a Jehan Fortescu escuier Seigno^r du dit fieu. Et les noms des
personnes qui les tiennent et les rentes que
eulz en doivent.

Premierement.

Les heres Dan Robert du Mouchel prestre, Tiennent par foy et par hommaige et par resseantize le mesuage qui fut au dit Dan Robert assavoir en hamel du mostier de Sainte Marie du Mont. Si comme il se pourporte en lonc et en ley contenant¹ joux le fieu de Saint Sauveur dun costey et le chemin qui va du mostier de Sainte Marie du Mont au moulin de Tonnee dautre coste bute dun but sur les terres que tient Michel le Berrier du dit Fortescu et dautre but sur le tenement que tient Michel le Berrier de Mons' Guille aux Espaulles. Et en doyvent les dis hers audit Fortescu, xij deniers j pain de manse j cappon aides et reliefs service de prevoste et aides coustumieres quant eulz chaient.

Michiel le Berrier tient par foy et hommaige iij vergies de terre assavoir en ij pieces, la premiere est assavoir jousce le quemin qui va du mostier de Sainte Marie du Mont au moulin de Tonnee bute dun but sur le gardin Dan Robert du Mouchel et dautre but sur la voie qui vient de la maison Perres Osber au moulin de Tonnee, la segonde pieche est illec assavoir jousce la terre que Pierres Osber a baillie audit Michel dun coste et dautre coste jousce la terre que Pierres Osber tient du fieu Crespin. Et en doit le dit Michel audit Seigneur xij deniers a la Pernelle j cappon a Noel reliefs xij^{es} service et prevoste et les trois aides coustumieres.

fo. 26^b.

Item le dit Michel doit xl oeufs de rente foy et hommaige pour une piece de terre contenant demie acre assavoir soubz le gardin qui fut Dan Robert du Mouchel laquelle terre Pierres Osber luy bailla et est de la vente es g'x de Hievile jousce¹ **Item** le dit Michel doit deux pains de manse deux capons a Noel et xij deniers a la Sainte Perronnelle pour une piece de terre contenant demie acre assavoir a Tonnee jousce Thomas Penant et le Seigneur des costes bute dun but sur le quemin qui passe par devant le moulin de Tonnee et dautre but sur les Carrieres.

¹ Blank in original.

Colin de Prestot tient lui et ses parchonniers du dit lieu par foy et par hommaige et par resseantize une ainsneche appelee le lieu es Eoufs contenant deux acres de terre et en doit lui et ses parchonniers v. soulz ix deniers a la Sainte Perronelle et ij pains de manse ij capons a Noel et service de curer le buy du moulin de Tonnee au dessus de la roue toutes foiz que mestier en sera de la roue jusques a la planque morain. Et si doit service de prevoste reliefs xiiij^{es} et les iij. aides coustumieres.

Premierement.

Le dit ainsne en tient demie acre de terre en herbegaige jousce les hers Jehan Eouf et passe le douyt du moulin de Tonnee parmye bute sur le dit moulin et sur Thomas Periant des bus. **Item** le dit Colin en tient demie acre que Jehan Eouf luy vendit jous le dit Colin et Richart le Vuidel des costes bute sur Thomas Penant et sur Estie le Berrier dun but et dautre but sur le quemin de Tonnee et en doit son apportant des rentes et services dessus dis alans au Seigno^r par sa main. Et en doit le dit Colin j quartier de fourment a la de guerpie Pierres Osber a cause de son mariage sur trente perques de la dicte demie acre de terre par devers le dit Colin. **Item** Ricart le Vuidel en tient xxxvj perques de terre jousce le dit Colin et Michel le Berrier des costes bute sur le lieu Crespin dun but et sur le quemin qui va de Tonnee au mostier de Sainte Marie du Mont dautre but. Et en doit son apportant fo. 27. des rentes et services dessus dis aulants au Signour. **Item** Michel le Berrier en tient demie acre de terre que Pierres Osber souloit tenir jousce le dit Michel des costes bute sur le gardin qui fut Dan Robert du Mouchel dun but et dautre but sur le quemin qui vient a Tonnee et en doit son apportant des rentes et services dessus dit alants au dit Signour. Et si doit xl oeufs a Pasques au Signour que il acquist des g^x de Hieville si come il appert par lettre de roy sur ceste. Et si yprent la confrarie de Saint Nicolas j boiffel de fourment sur la dicte terre. **Item** Thomas de Bourdet de Franqueville en tient demie acre a Tonnee jousce Thomas Penant et le Signour des costes bute sur la rue et sur le dit Bourdet desbus. Et en doit son apportant des rentes et services dessus dis alants au Signor par la main de lainsne. Et est la terre que doit les ij pains de manse et ij cappons et xij deniers que Michel le Berrier paie au dit Signour.

Thomas Bourdet feivre demourant au grant quemin tient lui et ses parchonniers du dit lieu de Mons par foy et par hommaige et par resseantize une evesche appelle le lieu es Bourdes contenant v. acres de terre et en doit le dit Bourdet luy et ses parchonniers onze soulz a la Sainte Perronelle ij guellines a Noel et xx oeufs a Pasques reliefs et xiiij^{es} quant eulz chaient et les trois aides coustumieres.

Premierement.

Le dit Bourdet en tient en sa main demie acre de terre en son herbegaige assavoir au grant chemin jousce le dit Bourdet des costes bute sur le quemin du Vey et sur Ricart Enguelier des bus. **Item** le dit Thomas en tient cinquante perques a la terre Dan Rogier jousce le dit Thomas et

Thomas Bourdet de Franqueville des costes bute sur Ricart Enguelier et sur Perrin Maillart des bus. *Item* le dit Thomas en tient une vergie et demie de terre jousce Guille Bourdet des costes et passe le quemin parmy au lonc bute sur les hers Thomas Esuant et sur le fieu du Lorey des bus. *Item* le dit Thomas en tient une vergie de terre yllenc jousce Guille Bourdet et le fieu Crespin qui bute dessus des costes bute sur le fieu de Lorey es sur les hers Thomas Esuant des bus.

o. 27^b.

Guillaume Bourdet feivre en tient demie acre en son mesuage assavoir au grant quemin jousce les hers Guillaume Aubert des costes bute sur le graunt quemin du Vey et sur les hers Aubin Enguelier des bus et en doit au Seignour passant par la main de lainsne ij guelines a Noel et xx oeufs a Pasques. *Item* le dit Guillaume tient cinquante perques de terre a la terre Dan Rogier jousce Thomas Bourdet de Franqueville et les hers Michel le Heribel des costes bute sur Rogier Bermont et sur Perrin Despreys des bus. Et en doit xx deniers alans par la main de lainsney. *Item* le dit Guille Bourdet en tient une vergie de terre en la courte campagne jousce Thomas Berrot et les hers Symon Hergues des costes bute sur Guille Enguelier, et sur Jehan Riquier des bus et en doit xij deniers par la main de lainsne et sa part des autres aides et services etc. *Item* le dit Guillaume Bourdet feivre en tient en lavine terre trois pieces contenant xxx perques de terre jousce Thomas Bourdet de Franqueville et le dit feivre des costes bute sur les hers Thomas Esuant et sur le fieu du Lorey des bus et sont ces xxx perques de lacquit du mesuage. Et y prent Colin Bloville a cause de sa fame j quartier de fourment et sur la vergie de la courte campagne et en doit le dit Guillaume au dit Signor par la main du dit ainsne reliefs xiiij^{es} et service de prevoste o les trois aides coustumieres.

Les hers Guill'eme Aubert en tiennent demie acre de terre jous Guillot Bourdet feivre et Jaquet Sisfroy des costes bute sur le quemin du Vey et sur Guille Enguelier des bus et y souleut prendre les hers Jouhan le Roux vij boissel de fourment et doit xxij deniers alans au Seigneur par la main de lainsne et sa part des autres aides et services, etc.

fo. 28.

Thomas Berot en tient une vergie de terre en la courte campagne jousce Guille Bourdet et Jehan Guendon a cause de sa fame des costes bute sur Guille Enguelier des bus et en doit deux boisseaux de fourment a viage a Mestre Guille Eouf et xij deniers alans au Signor par la main de lainsne reliefs xiiij^{es} et service de prevoste et les aides coustumieres.

Guille Dauneville escuier en tient demie acre en sa croute jousce le dit escuier et la cache Hais des costes bute sur la dicte cache des bus. Et en doit ij s' alans au Seigneur par la main dudit ainsne reliefs xiiij^{es}. services de prevoste et les aides coustumieres, etc.

Thomas Bourdet de Franqueville en tient cinquante perques de terre a la terre Dan Rogier

joufce le dit ainsne et Guille Bourdet des costes bute sur Rogier Bermont et sur Thomas Riquier des bus. **I**tem le dit Bourdet en tient une vergie a la vine terre joufce le dit ainsne et Guille Bourdet des costes bute sur les hers Thomas Esuant et sur le fieu du Lorey des bus. **I**tem le dit Thomas Bourdet de Franqueville en tient xxx perques assavoir illenc joufce le dit ainsne et Guilleme Bourdet feivre des costes bute sur les hers Thomas Esnault et sur les hers Raoul Esnault des bus et en doit xxxij deniers alans au Seigneur par la main de lainsne reliefs xij^{es} et service de prevoſte et les aides couſtumieres, etc.

fo. 28^b.

Perrin Berot tient luy et ſes perchonniers par foy et par hommaige une ainsneche contenant vj vergies de terre et en doit au Seigneur du dit fieu v ſoulz a la Pernelle ij capons a Noel xxx oeufs a Paſques reliefs xij^{es} ſervice de prevoſte les trois aides couſtumieres, etc.

Premierement.

Le dit Perrin Berot en tient en ſa main demie acre de terre assavoir au graunt quemin joufce le dit Berot et les hers Symon Hergues des costes bute sur le dit quemin et sur Michel Hauchemail des bus.

La de Guerpie Perrin de Piron en tient une vergie et demie de terre assavoir sur le hamel au Bougre joufce Robin Beaugendre et les hers Phôt Berot des costes bute sur le quemin du dit hamel et sur ledit Robin Beaugendre des bus. Et en doit au Signo^r dudit fieu alant par la main dudit ainsne xxij deniers a la Pernelle j capon a Noel xv. oeufs a Paſques et doit reliefs xij^{es}. et ſervices de prevoſte et les trois aides couſtumieres.

Les hers Phô't Berot en tiennent demie vergie assavoir au hamel au Bougre joufce Robin Beaugendre es les dis hers des costes bute sur le quemin du dit hamel et sur le dit Beaugendre des bus. Et en doit au dit Signo^r vj deniers a la Pernelle alans par la main de lainsne reliefs xij^{es} ſervices de prevoſte et les trois aides couſtumieres et la doit acquiter Rogier Bermont par j boiffel de fourment que les dis hers en paient au dit Rogier.

fo. 29.

Robin Beaugendre eſcuier en tient une vergie et demie de terre assavoir au hamel au Bougre joufce le fieu du Lorey et le dit Beaugendre des costes bute sur le dit Beaugendre des bus et paſſe le quemin du Hamel parmy. **I**tem le dit Beaugendre en tient demie vergie de terre assavoir au dit hamel joufce le dit Beaugendre et les hers Phôt Berot des costes bute sur le dit Beaugendre et sur le quemin du dit hamel des bus. Et en doit au Signour dudit fieu x deniers a la Pernelle alans par la main du dit ainsne reliefs xij^{es}. quant ils chaent ſervice de prevoſte et les ij aides couſtumieres.

Perrin Hays tient une evesche par foy et par hommaige et par resseantize lui et ses parchonniers contenant iiij acres de terre et en doit au dit Seigneur v folz ix deniers a la Pernelle ij pains de manffe ij capons iij guelines a Noel. Et doit reliefs xiiij^{es}. et service de prevoſte et les trois aides couſtumieres.

Premierement.

Le dit Hays en tient en ſa main une vergie en herbegaige jousce Jehan Aubert et Robert Bourdet des coſtes bute ſur le bas quemin et ſur la caiche donc len va au mareſc des bus. **Item** le dit Hays en tient une vergie aſſavoir a la croix au viel jousce Guille Dauneville eſcuier et Henry le Lou a cauſe de ſa fame des coſtes bute ſur le quemin donc len va aux Arbreaux. **Item** le dit Hays tient xxx perques de terre jousce Guilleme Dauneville et le dit Hays des coſtes bute ſur Jouhan Aubert. **Item** le dit Hays en tient demie vergie de terre jousce le dit Hays et Guille le Marquant des coſtes bute ſur Guille le Herubel et ſur le tenement de la Frarie Saint Mor desbus. **Item** le dit Hays en tient vj vergies de terre aſſavoir au marecq jousce la maſure au Miart et Perrin Ofber et Guille Deauneville des coſtes bute ſur le clos Peliquet et ſur la hogue Guillette des bus. **Item** le tenement que ſouloit tenir La Bourde contenant une vergie en herbegaige et en la terre de deſſus jousce les hers Ricart Fiquet et le dit Perrin Hays des coſtes bute ſur le bas quemin et ſur la caiche par onc len va au mareſt des bus et y prent Guille Dauneville iij boiſſeaux de fourment de rente ſur le dit tenement.

fo. 29^b.

Les hers Ricart Fiquet en tiennent xxx perques de terre jousce Robert Bourdet et le tenement a La Bourde des coſtes bute ſur le bas quemin et ſur le dit tenement a La Bourde des bus. **Item** les dis hers en tiennent demie vergie de terre jousce les dis hers et la caiche des coſtes bute ſur Jehan Aubert et ſur Guille Bouchel des bus.

Jehan Piquet en tient demie vergie de terre aſſavoir a la croix au vil jousce Perrin Hays et le dit Piquet des coſtes bute ſur le dit Piquet des bus. Et en doit ſon aportant des rentes et ſervices deſſus dis.

Jehan Aubert en tient xxx perques de terre aſſavoir a la croix au viel jousce Guille Dauneville eſcuier bute ſur la de guerpie Thomas Aubert. **Item** le dit Jehan Aubert en tient xxv. perques jousce Perrin Hays et le lieu le Roy des coſtes bute ſur le bas quemin. **Item** le dit Jehan Aubert en tient xv perques joſce la caiche es Hays et Thomas Aubert des coſtes bute ſur Robert Bourdet.

Les Freres de la Frarie Saint Mor en tiennent demie vergie de terre jousce Aubert et Guilleme le Marquant des coſtes bute ſur le quemin donc lon va es Arbreaux et ſur le dit Hays des bus.

Guillaume Dauneville escuier tient du feu Perrin Hays une vergie de terre jousce Jehan Aubert et le dit Hays des costes bute sur le quemin donc len va es Arbreaux. Et en doit au Signour son apportant des rentes aides et services passés par la main de lainsne du dit feu.

fo. 30.

Laureins Gautier tient du feu de Mons par foy et par hommaige une pieche de terre contenant cinquante perques jousce la terre que Marion la Pailliere tient et douuaire des Riquies dun coste et les hers Raul le Berruer dautre coste et bute sur Raoul le Herubel dun but et dautre but sur la terre que Perrin le Paillier tient a cause de sa fame de Labbe de Cherebourg. Et en doit le dit Laureins deux boisseaux de fourment a la grant mesure de Sainte Marie du Mont a Jehan Fortescu Seignour du feu de Mons et yprent Robert Beaugendre deux boisseaux daveine daquificion.

Perree Godeffroy tiennent le tenement que fouloit tenir Menart affavoir a la dune de Scē Marie du Mont au dessoubz du moulin Guille Dauneville escuier contenant viron trois vergies de terre jousce les hers Jouhan de la Dune devers folail levant dun coste et Perret Bouteville dautre coste bute dun but sur la Crique et dautre but sur le quemin de la dune qui va au Vey. Et en doit a Jehan Fortescu Seignour du feu de Mons iij soulz a la Pernele une gueline a Noel foy et hommaige reliefs xiiij^{es} service de prevoste et les trois aides coustumieres quant ilz chaent.

Le feu de Ladune que fouloit tenir Rogier Godeffroy est tenu par foy et par hommaige affavoir a la dune de Sancte Marie du Mont jousce les hers du dit Godeffroy dun costey et la voie juree qui va de la dune au Marie au Golobiere dautre coste bute dun but sur le quemin de la dune et dautre but sur le clofet qui fut ala courte et est cest but plus lonc devers la voie juree que sur le dit clofet. Et doit au Signor du feu de Mons iij s'. ij guelines xx oeufs reliefs et xiiij^{es} services de prevoste et les trois aides coustumieres quant eulz chaent.

fo. 30^b.

M^e. que le moulin a eau de Tonnee et le vivier du moulin font du franc feu de Mons.

Item que chinc vergies de terre ou viron affavoir audeffus dudit moulin font dudit feu et font a present en la main du Signeur dudit feu.

Cy ensuit la teneur comme Mons^r Guille de Briqueville chevalier Sire De Laune et dame Marie de Courcy sa fame baillerent le moulin de Tonnee avecque les rentes et appartenances dicelli a Girot le Neir dit le Perche.

A tous ceulx qui ces lettres verront ou orront Richart Coudran chevalier Balli de Pontoise garde du sceel et des registres des lettres des obligacions de la Viconte de Saint Sauveur Lendelin salut,

fo. 31.

fachent tous que par devant Thomas le Godes clerc tabellion jure quant a ce furent presens noble homme et puissant Mons^r Guille de Briqueville sire De Laune et dame Marie de Courcy sa fame a la quelle fame son dit mari donne auctorite quant a ce et confessent de leurs bonnes volentes sans nul contraignement que eulx avoient bailli en lieu et par hommaige quitte cefie et delesie afin de heritaige a tous jours mes a Girot le Neir dit le Perche ung moulin a eau avecque lestanque cauchie appartenant au dit moulin et les drois services digneteiz appartenants au dit moulin en moutains et autres choffes sans riens excepte et avecque ce sept vergies de terre le dit moulin et terres assavoir en la parroisse de S^ce Marie du Mont appelle Tonnee les dictes sept vergies de terre pres du dit moulin butent sur le chemin qui tent a ycelli. Et fut fait cest fiefement par ung chapon blanc et une sonnete dargent pesante ung escellin dargent de rente et ung chapel de roses que le dit Girot le Perche es ses lettres ou aiant cause de luy en paieront et rendront chescun an danuel rente au terme de la feste Saint Jehan Baptiste audit chevalier et dame a cause d'elle et a leurs hers pour toutes rentes et pour tous services et acquis quiconque sans en paier aucune autre rente ne service a aucune autre personne. Et a faire justice pour deffaut de paiement des choses dessus dit sur le dit moulin et terres sur chescune partie pour le tout. Et par tant les dis chevalier et dame lui gardent de toute rentes services faisants et redevances quelles et de quelle condicion que ce soit et quant a tout ce tenir et accomplir de point en point en l'estat que dessus est dit et devise les dictes parties sobligerent lun a lautre chescun en son fait eulx et leurs hers et tous leurs biens meubles et heritaiges presens et avenir ou que eulx soient trouves a vendre et a despendre par lainsche pour ce tenir et accomplir et pour les mises et despenes pour ce fais rendre au porteur de ces lettres donc il ferroit creu par son serment sans autre prouve et renunç quant ace a toute decepcon et deffaute qui pourroient empeschir la teneur de ces lettres aus quelles nous en tesmoing de ce a la relacion du dit atourne avon mis le sceel dessus dit sauf autre droit. Ce fut fait lan de grace mil ccclx. et quinze le quinzieme jour Davril.

Oy ensuit la teneur dune autre lettre comme ledit Girot le Neir dit le Perche vendit a Jehan Fortescu escuier le dit moulin de Tonneie avecque les terres et appartenances dicelluy moulin.

fo. 31^b.

A tous ceulx qui ces lettres verront ou orront Jehan Mabire prestre garde du sceel des obligations de la Viconte de Saint Sauvour le Viconte salut. Sachens tous que par devant Perrin Courtel tabellion jure et establi en la dicte Viconte fut present a Saint Sauvour le Viconte Girot le Neir dit le Perche heraut de la paroisse de Saint Martin de Golleville si comme il disoit lequel congnut et confessâ de son bon grey sans nul contraignement pour lui et pour ses hers avoir vendu quitte cefie et delesie afin de heritaige a tous jours mes a Jehan Fortescu escuier et a ses hers tout le droit accion saisine possession propriete justice juridiccion et seignourie que le dit vendeur a ou peult avoir demander et reclamer aux heritaiges contenus et dont mencion est faicte es lettres par les quelles ces presentes sont annexes sans y riens retenir ne excepter. Ainsi que ledit vendeur soblige par mos expres a acquicter les dis heritaiges contenus es dictes lettres annexes de tous les arrerages qui en pourroient estre deubz avant le jourduy. Et fut faicte ceste vente quiçte et delesie par le prix de vinc et chinc frans dor frans et quiçte a la main dudit vendeur et x soulz pour vim donc le dit vendeur se tint du tout pour bien paie par devant le dit tabellion pour quoy il promist et soblige pour lui et pour ses hers audit achateur et a

ses hers la dicte vente vers tous et contre tous garantir delivrer et deffendre oster et mettre hors de tous empeschemens. En cas que par son fait y avoit aucune empeschement avant lejourduy. Et sans ce que lui ne ses hers ne autre avant cause de lui y puissent des ormes en temps advenir chalenger ne demander ne clamer aucun droit ne Seignorie en aucune maniere par quiconque cause voie ou maniere que ce soit ou puisse estre. Et quant ad ce et a toutes les choses dessus dites et a chescune dicelles tenir et enteignir de point en point sans james aler encontre le dit vendeur obliga foy et ses hers et tous leurs biens meubles et heritaiges presens et advenir ou et sur queille jurisdiction que ilz soient trouves a estre prins vendus et despendus tout de plain doffice de justice sans proces ne errement de plet pour ce enteignir et pour rendre audit acheteur et a ses hers tous les coudes mises interres et despens qui pour dessus denteignir les choses de sur dites seroient fais et soustenus donc le porteur de ces lettres seroit creu par son serment sans autre prove fete. Et renoncha sur ce le dit vendeur par son serment a toutes excepcions fuites et deffenses par quoy len pourroit venir contre la teneur et obligation de ces lettres. fo. 32. Et par especial au droit disant general renunciacion non valer. En tesmoing de ce ces lettres sont sceelles du sceel dessus dit a la relacion du dit tabellion sauf autre droit. Ce fut fait lan de grace mil ccc sexante et seze le vij^e jour du mois de Mars.

Les Hers Jehan de Benseville de Hubertville doivent a Richart Fortescu a cause de Guillelte du Hommet sa mere¹ onze livres tournois de rente a jour Saint Michel foy et hommaige pour une france vavassourie tenue franchement et honnourablement o court et usage assavoir en la parroisse de Hubertville et se estent en la parroisse de Saint Germain de Tournebuc si comme il peult apperoir plus plainement en cest present Chartrier et le droit de leur teneur donc mencion est faicte en . . .

Mons' Jehan du Hommet chevalier Seigneur de la Varenguiere doit audit Fortescu sept livres tournois au jour S^t. Michel de demourant de Grignoir somme a cause du mariage de Guillelte du Hommet fuer dudit chevalier et fame² du dit Fortescu comme plus a plain peult apperoir par lettres Roiaux sur ce faites.

(There are three blank pages at this place in the original MS., before fo. 33.)

¹ Originally *fame*; altered to *mere* by a later hand.

² *Sic*.

fo. 33.

Cy ensuient les teneurs du franc fieu de

Franquetot feant es paroisse de Quetreville et de Coignies en Baupreiz appartenant

a¹ . . . Fortescu escuier Seigno^r du dit fieu et les noms des
personnes qui les tiennent et les rentes quilz on doivent.

Premierement.

Iehan Anquetil tient lui et ses parchonniers dudit fieu par foy et par hommaige une evesche resseante appelee levefche Anquetil contenant xviiij acres de terre. Et en doivent lui et ses parchonniers au terme de la Saint Michel viij quartiers de fourment x quartiers d'avenne le tout mesure du Pleffeiz quatre soulz a la Saint Clement (?) quatre deniers quatre guelines a Noel quarante oeufs a Pasques. Service de fains faire carier sur le fieu du Seigneur. Service de moulin de prevoste et les moutes vertes et secques deux journees de carue et deux dercheure aient ou non, lune a tremais et lautre a yvenaige sur le dit fieu les quilz airont quant il sen yront iiij deniers pour livrefon et chescune hercheure deux deniers. Et ainsi doivent les trois aides coustumieres en Normendie quant elles chaient. Et est ainsi dit que chescun des tenans et perchonniens paiera son aportant des rentes et des services dessus dis par la main du dit esney.

fo. 33^b.

Premierement le dit Anquetil esney tient de la dicte evesche demie acre de terre et demie vergie receante assavoir a Franquetot joux les hers Colin Anquetil des costes bute dun but a la rue et de lautre sur le bieu du molinel. **Item** demie acre de terre soubz le buy du molinel joux les hers Anquetil bute sur les preys de Franquetot. **Item** une vergie et demie assavoir en maresce de Franquetot joux les hers Phôt Jouhan bute sur le dit maresc de Franquetot. **Item** vergie et demie de terre assavoir a la fosse joux les hers Barbey bute a la rue de la dicte fosse. Et en doit des rentes et des services dessus dis en la maniere que dessus est dit et devisey.

Des hers Colin Anquetil tient dicelle evesche en leurs menages trois vergies de terre et demie assavoir joux le dit esney bute sur la rue de Franquetot. **Item** es croutelles vergie et demie et x perques joux le dit esney bute sur le bieu du dit molinel. **Item** es dictes croutelles une vergie de terre joux

¹ Sic.

les hers Guille le Franchoiz bute sur le dit bieu du dit moulinel. **Item** es dictes croutelles xij perques joux le dit esney bute sur le dit bieu du dit molinel. **Item** es croutelles vj perques joux le dit esney bute sur le dit bieu. **Item** soubz le dit bieu une vergie de terre joux le dit bieu dudit molinel bute sur les Caperons. **Item** soubz le dit bieu demie vergie de terre et quatre perques joux Guilleme le Franchois but sur les hers Caperon. **Item** vergie et demie sur le prey joux les hers Thomas le Prevost bute sur Thomas la Pastoere. **Item** une vergie et xij perque soubz la maire Saiyonnier joux les hers Thomas Lefoc bute sur Guillem Aubric. **Item** sur les maires xxv perques joux Guillem Bonchamp bute sur les hers Milet Caperon. **Item** es vier aveneuз une vergie et x perques joux les hers Jehan la Pastore bute sur Ricart le Bourgueз. **Item** a la croix Barbey vergie et demie joux les hers Jehan Bonchamp bute sur le quemin du Hommet. **Item** a la hogue demie vergie joux Jehan Anquetil bute sur les hers a Leffrey. **Item** en dit trans une vergie et xvj perques joux les dis hers bute sur les hers a Leffrey. Et en doivent les dis hers leurs aportant des rentes et des services dessus dis en la maniere que dessus est dit et devisey.

Guilleme le Frances vint perques de terre en son mesuage joux le dit esney bute sur la rue de Franquetot. **Item** es croutelles trent et deux perques joux le dit esney bute sur le dit bieu du molinel. **Item** soubz le bieu douze perques joux les hers Colin Anquetil bute sur les hers Milet Caperon. **Item** trente perques a Gallart joux les hers Denis Caperon bute sur le chemin du Homme. **Item** a la hogue une vergie et xv perques joux les hers Colin Anquetil bute sur les hers a Leffrey. **Item** trente et trois perques de terre joux les hers Bonchamp bute sur le quemin du Homme. Et doit fa part des services et rentes joux ce que dessus est devisey. fo. 34.

Damien Maresquier demie acre v perques de terre a Lonmel joux les hers Guille Doudeman bute sur le quemin de Lommel de Franquetot. **Item** seze perques as cortes terres joux Rogier Affeline bute sur ¹ . . . et en doit fa part des services et rentes comme dessus.

Thomas Uasse trente et deux perques as cortes joux Thomas le Sot bute sur les hers Jehan le Bourges. Et doit des rentes et services comme dessus est dit.

Les hers Jehan Grusie es Carrieres trente et trois perques de terre joux les hers Jehan Bonchamp bute sur les hers Philippe Guisle. **Item** dix et huit perques au marest joux les hers Bonchamp bute sur le dit marest. **Item** vergie et demie et iiij perques joux les hers Sevestre Boniver bute sur Denis Caperon. Et doivent des rentes comme dessus. fo. 34^b.

¹ Blank in original.

Bicart de Aune dit Maugre vergie et demie de terre et iiij perques es Teulles joux Jehan Guisle bute sur Olivier Caperon. Et doit des rentes et services comme dessus.

Baoul le Mounier a la maire Sauxmire' une vergie de terre joux les hers Jehan Guisle bute sur le quemin de Franquetot. Item vint et chinc perques en dic joux Alixandre Caperon bute sur les hers Aubric. Et doit des rentes et services comme dessus.

Les hers Thomas le Prevost une vergie et xviiij perques sur le mareft joux les hers Perret le Soc bute sur les hers Guillem le Quetreville. Item trente perques a la campagne joux les hers Johan Guisle bute sur les hers au Faucenes. Item trente et deux perques sur le prey joux le hers Colin Anquetil bute sur les pres de Franquetot. Item six perques soubz le bieu joux les hers Colin Anquetil bute sur les pres. Et en doivent des rentes et services semblables.

fo. 35.

Thomas le Jolif une vergie et quinze perques sur le marefc jousce Jehan Guisle et les hers Phôt Jouhan des costes bute sur ledit marefc. Et en doit des rentes et services comme dessus.

Guilleme Cousin vergie et demye de terre au Vurguel joux la riviere du Vallec bute sur la dicte riviere. Et en doit sa part des rentes et services comme dessus.

Symon Caperon une vergie assavoir en trans de Franquetot joux Denis Caperon bute sur le dit Denis. Item une vergie en dit trans joux Jehan le Frances bute sur le quemin du Homme. Et en doit sa part des rentes et services comme dessus.

La de Guerpie Phôt' Johan tient vergie et demie de terre assavoir a la fosse joux Colin Challes bute sur les hers Perrin Orange. Et en doit sa part des rentes et services.

fo. 35^b.

Alixandre Caperon vint et chinc perques de terre a la maire Sauxmuer joux les hers Guilleme le Monnier bute sur Guilleme Aubin. Item vint et chinc perques a la dicte riviere joux Jehan Anquetil bute sur la dicte riviere. Et en doit sa part des rentes et services, etc.

Sevestre Barboy trente perques de terre sur le prey joux Jehan le Prevost et le dit Sevestre des

costes bute sur le dit Sevestre. **Item** demie vergie a la fosse Pipet joux le dit esney bute sur Olivier Guille. Et en doit semblable, etc.

Jehan Bonchamp une vergie as fourques joux Guille le Franceis bute sur le quemin du Homme. **Item** a la croix Barbey vergie et demie joux Thomas Anquetil bute sur le quemin du Homme et en doit six boisseaux de fourment as houz Colin Bloville. **Item** une vergie au clos Goderel joux Sevestre Barbey bute sur Jehan Anurey. Et en doit trois boisseaux de fourment aux hers Furon. **Item** une vergie en dit trans joux Denis Caperon bute sur Perres Guille. **Item** sur les març de Pontamin vint et chinc perques joux Jehan Anquetil bute sur les hers Colin Caperon. Et en doit sa part des services et rentes dessus nommees, etc.

Guilleme Aubric vergie et demie et chinc perques es porte Caperon joux les hers Guille Caperon bute sur les hers Olivier Caperon. **Item** une vergie au clos Goderel joux Guillem Boucher bute sur Colin Challes. Et en doit sa part des rentes et services, etc.

Ma de Guerpie Robert Damien vint et chinc perques en tortes terres joux les hers Colin Marequier bute sur Dan Jehan le Marechal. **Item** vint et chinc perques au grant fosse joux la diète fo. 36. de Guerpie bute sur les hers au Fontenes. Et en doit sa part des rentes et services, etc.

Mes hers Jehan Caperon xxv. perques de terre assavoir a la Lee riviere joux Jehan Anquetil bute sur le marefc de Franquetot. Et en doit sa part des rentes et services semblable, etc.

Guillaume Asseline une vergie au vallec joux Guille Coufin bute sur le dit Eoufe. Et en doit sa part des rentes et services, etc.

Jehan Herbert trente et trois perques sur la Pierre joux Jehan Anquetil bute sur Guille Asseline. **Item** dix et sept perques es crotelles joux les heres Jehan le Priour bute sur Bonuche. Et en doit sa part des rentes et services, etc.

Mes hers Thomas le Soc trente et six perques es courtes terres joux la de Guerpie Phelippe Jouhan bute sur Jehan Asseline. Et en doit sa part des rentes et services, etc.

fo. 36^b.

Guillaume Rambaut une vergie et trois perques de terre au Vallec joux Guille Coufin a cause de sa fame bute sur le dit Coufin. Et en doit sa part semblable, etc.

Les hers Thomas le Marechal a la marete feze perques joux Jehan Anquetil bute sur les hers Colin Anquetil. Et en doivent leur aportant, etc.

Johanne Anquetil feze perques a la marete joux les hers Thomas le Marechal bute sur les hers Colin Anquetil. Item douze perques et demie de terre sur la Pierre joux les hers Jehan Hebert bute sur les hers Jehan Courlesnaux et en doit sa part des rentes, etc.

Mabeline Biart fouloit tenir douze perques de terre sur la Pierre joux Jehan Hebert bute sur les hers Coulesnaux. Et en doit sa part des rentes et services, etc.

Les hers Phôt Guisle tiennent demie vergie de terre a la campagne joux les dis hers bute sur les hers es Fontenès. Item une vergie et trente et chinc perques a la fosse joux Jehan Boucher bute sur Sevestre Barbey. Et en doivent leur part des rentes, etc.

fo. 37.

Les hers Perrin Hebert trente et trois perques au Vallec joux Guille Coufin bute sur le marefc de Franquetot. Item trente et trois perques que fouloit tenir Thomas Barbey a cause de sa fame a la Lee riviere joux les hers Dan Ric'ler bute sur la quemine de Franquetot. Et en doivent leur part des rentes et services, etc.

Jehan Asseline demie acre de terre au quesne de Franquetot joux Colin Challes et Jehan le Franches bute sur le quemin du Homme. Item une vergie assavoir au cas de Franquetot joux le quemin tendant du cas a Quetreville bute sur Jehan Anquetil a cause de sa fame. Item une vergie et trente et trois perques assavoir au cas de Franquetot joux le dit Jehan bute sur le venid a la fille Martin. Item demie vergie sur la Pierre de Franquetot joux le dit Jouhan et Thomas Anquetil des costes bute sur Guilleme Asseline. Et en doit sa part des rentes et des services en la maniere que dessus est dit et devisé, etc.

Baillie ceste esveche par fin de teneur par lesney dicelle aux ples du dit Seigneur tenus a Franquetot par Jehan Barbey seneschal du dit Seigneur lan ⁱⁱⁱ en presence de moy Jehan Fouques prestre tabellion du siege de Baupte qui en tesmoing de ce ay mis cy mon signe manuel.

Jehan Asseline tient du dit Seigneur de Franquetot lui et ses perchonniers en fieue et par hommaige fo. 37^b. une esneche resseante apelle levesche du fieue Rambaut et contenant dix et huit acres de terre. Et en doit ledit Asseline es ses dis parchonniers x. et huit soulz a la Saint Albin, iiij capons a Noel o leurz pains trente oeufs a Pasques et service de fain faire et vien et tasser en feuil sur les dis fieux. Et les aides acoustumes en Normendie quant elles chaent. Et doit Ricart le Bourgues paier et faire paier la moite des rentes et services. **Item** le dit Jehan Asseline doit audit Seigneur vj boisseaux de fourment mesure de Franquetot a justice ung herbage contenant xxx perques de terre jous les hers Michel Alaire dun coste et dautre a la ruele Rambaut bute a la rue de Franquetot, et sur le dit fieue des bus.

Premierement.

Le dit Jehan Asseline esney tient de la dicte evesche douze vergies de terre en une pieche jous les hers Michel Alaire et la ruele Rambaut des costes bute au douyt de lesclufete. Et en doit son aportant des rentes et services dessus dis audit Signor et est resseant. Et a Jehan de Cantillie escuier quinze soulz a la Saint Michel et service de prevoiste. **Item** une pieche de terre contenant trois vergies assavoir al esclufete jous Ricart le Bourgues et Thomas Anquetil des costes bute sur la dicte esclufete. Et en doit sa part des rentes et services, etc. **Item** trente perques de terre en herbage jous les hers Michel Alaire dun coste et la ruele Rambaut dautre bute a la rue de Franquetot dun but et sur ledit fieue Rambaut dautre. Et en doit vj boisseaux de fourment mesure de Franquetot et sa part des rentes et services, etc.

Jehan Anquetil une pieche de terre contenant viron une vergie assavoir a la croix Barbey jous fo. 38. Alixandre Caperon et Thomas Anquetil des costes bute sur le quemin du Homme. **Item** une vergie a la hougue jous le dit Anquetil et les hers a la fille Martin des Costes et bute sur le venid au Bourgues. **Item** vergie et demie ou viron assavoir au cas jous les hers Guille Asseline et le dit Anquetil des costes bute sur les dit hers a la fille Martin. **Item** en icelluy trans demie vergie ou viron jous le dit Anquetil et ledit venid des costes bute sur le venid au Bourgues. **Item** une vergie et demie ou viron assavoir au Corbellon jous Jaquet Hais et sa fame et le dit Anquetil des costes bute sur les hers au Bourgues. **Item** demie vergie sur les pres de Franquetot jous Guille Asseline et le dit Anquetil des costes bute sur les dis pres. **Item** demie vergie assavoir au maresce jous les hers Guille et le dit Anquetil des costes bute sur ledit maresc. **Item** demie vergie ala Lee riviere jous Barbey dun costey bute sur la dicte riviere. **Item** demie vergie a la hougue jous Thomas Anquetil et la de gerpie Jehan le Bourges des costes bute sur le venid au Bourgues. Et en doit ledit Anquetil trois deniers pour chescune vergie et sa part de iiij pains iiij capons et sa part des services de fain de moulin et des rentes, etc.

La de Guerpie et les hers Phe' Jehan trois vergies de terre sur le maresc de Franquetot jous

Thomas le Jolif et Guille Bomchamp des costes bute sur le dit marefc. Item vergie et demie au grant fosse joux Thomas Anquetil dun coste bute sur le quemin du Homme. Et en doit iij d' pour chescune vergie et sa part des services de fain et de moulin et son aportant des rentes dessus dictes par la main du dit ainsney.

fo. 38^b.

Jehanne de Guerpie Guille de Aune une vergie ou viron assavoir a la campagne joux Denis Caperon et Ricart le Marechal des costes bute sur le quemin du Homme. Et en doit trois deniers pour chescune vergie comme dessus est dit et sa part des rentes et services per la main de lesney.

Pierres Guisle une vergie a la torte terre joux Jehan Guisle et Thomas le Cheminaunt bute sur les hers Ricart le Marechal. Et en doit trois deniers tournois et son apportant des rentes et services etc. par la main de lesne.

Guillaume Cousin quinze perques ou viron assavoir en court acre joux les hers Perrin Guiart bute sur les hers Joret de Gueront. Et en doit son apportant des rentes et services, etc.

Alixandre Caperon une vergie et dix perques assavoir a la croix Barbey joux Jehan Anquetil et Jehan Franceiz des costes bute sur le quemin du Homme. Et en doit sa part semblable, etc.

Thomas Anquetil vergie et demie sur la pierre de Franquetot Jouhan Affeline bute sur Guillot Affeline. Et en doit son apportant semblable des rentes alans au Seignour par la main de lesney.

fo. 39.

Perres le Marechal vergie et demie en deux pieches la premiere au cas de Franquetot joux Jehan Affeline dun coste bute sur Jehan Anquetil par sa fame la segonde a lourme de Franquetot joux le dit Marechal dun coste bute sur le queminet. Et en doit sa part des rentes et service semblable.

Benest Hebert une vergie sur la pierre de Franquetot joux Jaquet Hais par sa fame bute sur la manoir (?) de La Pierre. Et en doit sa part des rentes et services etc. et j boissel de fourment aux hers Guillem Haellebel, etc.

Une vergie de terre que souloit tenir Phôt Jehan assavoir a la Leie riviere joux les hers du dit

Jehan dun coste et bute sur la riviere de Franquetot. **Item** vint et chinc perques que fouloit tenir Alixandre Caperon assavoir sur les fosses aux Potiers joux Jehan Anquetil dun coste et est venid dautre bute sur le quemin tendant de Coignies a Pontanum, etc.

Guillaume le Bourgues Tient la moitie du fieu Rambaut donc le dit Jehan Asseline est esney contenans xvij acres. Et en doit le dit Guillem tant lui que ses parchonnirs la moitie de toutes les rentes et services qui deubz en font ceste assavoir trois soulz a la Saint Denis vj soulz a la Saint Albin deux capons a Noel deux pains de mansse vint oeufs a Pasques service de prevoiste de fains de moulins avecq^s les chier aides quant ilz chaent.

Premierement.

Le dit Guillaume Tient du dit fieu demie acre de terre assavoir en son mesuage joux a la ruelle fo. 39^b. Rambaut bute sur la croute au Bouloin. **Item** une vergie assavoir en la croutelle joux les hers Colin du Hamel bute sur le doit tendant au molinel. Et en doit trois boisseaux de fourment¹ a Fortescu. **Item** une vergie au ponchel joux les hers Thomas Asseline bute sur le douyt dessus dit. **Item** trois vergies a lesclufete joux Guillem Asseline bute sur le dit douyt. **Item** trois vergies a la maire au Sour joux Jehan Asseline bute sur le douyt dessus dit. **Item** deux vergies illec joux le hers Michel Alaire bute sur le douyt dessus dit. Et doivent a Guille Dauxes ij petis boisseaux de fourment. **Item** une vergie assavoir a La Pierre joux Jehan Varin bute sur le clos Guillebert. **Item** de une vergie assavoir aux hezetes joux les hers Guillem Renouf bute sur le quemin du Homme. **Item** demie vergie a la Hougue et fait vanid bute sur Jehan Anquetil.

Guillot Cousin tient du dit fieu une vergie en courte acre joux Guillem Asseline bute sur la voie di Vallec. **Item** trente perques au Mont Mirel joux Marion Varin bute sur la¹ Et en doit sa part des rentes et services. **Item** six perques joux Guillem le Bourges bute sur les hers Guillem Baupes.

Collin Challes demie acre a la fosse Piquet joux Sevestre Barbey dun coste bute sur le dit Barbey. **Item** une vergie en cel trans joux la de gerpie Phe' Jouhan dun coste bute sur Ricart Crefnon. **Item** cinquante perquez au marefc joux la de gerpie Thomas le Prevost bute sur le marefc de Franquetot. **Item** quinze perques au¹ joux Benest Herbert dun coste bute sur Jehan Anquetil. Et doit sa part des rentes et services dessus dis.

¹ Blank in original.

fo. 40.

Marion Varin trente perques de terre en Mont Mirel joux Guillem Coufin bute sur Jehan Varin.

Sevestre Barbey une vergie a campagne joux Alixandre Caperon bute sur le dit Alexandre. Item une vergie a la fosse Pipet joux Alixandre Caperon a cause de sa fame bute au quemin de la fosse. Et doit son aportant.

Jehan Guilles une vergie a la corte terre joux Perrin Guille bute sur les hers Perrin le Marechal. Et doit son aportant, etc.

Thomas Durenne deux vergies en Mont de Fourques joux Guillemet Affeline bute au quemin du Homme. Et doit son aportant.

Alixandre Caperon a cause de sa fame une vergie et demie a la maire Saufurre joux Thomas Anquetil bute sur Guillem Aubery. Item vint et chinc perques en cel trans joux Raoul le Monnier bute sur le dit Aubry. Et en doit son apportant.

fo. 40^b.

Les hers Guille Rambaut demie vergie aux hesetes joux Guillem le Bourgues bute au quemin du Homme. Et doit son aportant.

Les hers Colin du Hamel une vergie en la croutele Rannbaut bute sur Guilleme Affeline. Et doit son aportant.

Perres le Marechal du cas trente perques o ponchel joux les hers Thomas Affeline bute sur le clos Jehan Affeline.

Guillot Robert a cause de sa fame quinze perques o ponchel joux Guillē le Bourgues bute au douyt du molinel. Et doit son aportant, etc.

La de Guerpie Jehan le Bourgues vint et sept perques de terre o cas joux Jehan Anquetil bute sur Guilleme le Bourgues et doit son aportant, etc.

Thomas Anquetil une vergie o cas de Franquetot joux les hers Guillem Rannbaut bute sur Jehan Anquetil. **Item** trente perques a la Pierre de Franquetot joux Anquetil bute sur les hers au prevost. **Item** une vergie a la campagne joux le Seignour de Carantilly bute sur Perrin la Postore.

Denis Caperon une vergie et dix perques affavoir en trans apelle le Camp joux Ricart Naguet des fo. 41. costes bute au grant chemin dun but et dautre sur le dit¹ Et en doit son aportant du fieu et a Jehan Regnaut j boissel de fourment, etc.

Thomas Anquetil a la Mar'aufa' une vergie joux Jehan Asseline bute au douyt du molinel. Et en doit son aportant des rentes et services, etc.

Baillie ceste esvesche par fin de teneur par lesney dicelle aux ples du dit Seigneur tenus a Franquetot par Jehan Barbey seneschal dudit Seigneur lan mil ccc.^{xxx} le xx^e jour de Novembre. En presence de moy Jehan Fouque prestre tabellion du siege de Baupte qui en tesmoing de ce ay mis cy mon signe manuel.

Pierres Guisle Tient du dit Seigneur de Franquetot lui et ses perchonniers et fieu et par hommaige une esveche resseante contenant trente acres de terre. Et en doivent vint soulz de rente et service de fain et de molin et de prevoste et moutes et les trois aides acoustumes en Normendie la quelle rente est a paier a trois termes cest assavoir trois soulz a la Saint Michel en mout de gaiges. Et chinc fo. 41^b. soulz a la feste Saint Clement et douze soulz a la feste Saint Aubin sur les quelz vint soulz leglise Nre Dame Dappeville prent chinc soulz alans a la lampe du don Mons' Michel de Fonteney chevalier.

Premierement.

Le dit Guisle Tient dicelle esveche une vergie de terre a la maire Sauxonniere joux Jehan Guisle bute sur Guillem Machi. **Item** une vergie a la croute au Souf joux Alixandre Caperon bute sur le marefc de Franquetot. **Item** une vergie a Mauvoisin joux Jehan Guisle bute sur le dit marefc. **Item** demie vergie a la croute joux Alixandre Caperon bute sur la voie tendant en dit marefc. **Item** une vergie au marefc joux Denis Caperon bute sur les hers la Pastore. **Item** une vergie a Mauvoisin joux les hers Ricart Pepin bute sur le dit marefc. **Item** demie vergie au prey joux Thomas le Jolif bute sur Jehan Anquetil. Et en doit pour chefcune vergie deux deniers et service de fain et de moulin et de prevoste et moutes et les aides coustumieres.

¹ Blank in original.

Jehan Guisle Tient du dit lieu une vergie de terre assavoir a la maire Sauxonniere jous Pierres Guisle dun coste bute sur Guillem Machi. **Item** deux vergiez en la croute jous le dit esney bute sur le douyt courant au moulin. **Item** une vergie assavoir au Mauvoisin jous Joui Anquetil bute sur le maresc de Franquetot. **Item** une vergie au maires jous les hers Guillem Caperon bute sur Olivier Guisle. **Item** une vergie a la Valee jous Olivier Guisle bute sur le dit maresc. **Item** une vergie sur le marescq de Franquetot jous ledit esney, bute sur le dit maresq. Et en doit pour chescune vergie deux deniers et service de fain et de moulin et de prevoste et moutes et les aides coustumiers, etc.

fo. 42.

Baoul Lemonnier une vergie en son mesuage jous Jehan Guisle bute sur le douyt courant au molinel. **Item** demie acre en la marete jous Denis Caperon bute sur Guillaume Aubric. **Item** une vergie a la Valee jous Perrin le Mareschal bute sur le maresc de Franquetot. Et en doit pour chescune vergie deux deniers et les services comme dessus est dit.

Olivier Guisle une vergie en son mesuage jous les hers Jehan la Pastoire bute sur le douyt courant au molinel. **Item** une vergie aus mares jous les hers Guille Caperon bute sur Jehan Guisle. **Item** une vergie a la Valee jous Jehan Guisle bute sur le maresc de Franquetot. Et en doit deux deniers pour chescune vergie et les services come dessus est dit.

Perrin la Pastoere tient du dit lieu quatre vergies et le quart de demie vergie assavoir en trois pieces. La premiere a la croute de Pontannin jous Ricart le Quetreville bute sur la rue de Pontannin, la seconde en la dicte croute jous Raoul le Monnier but sur la dicte rue, la tierche est es mares jous Guillē Lefuour bute sur la de gerpie Thomas le Prevost. Et en doit xij deniers a Ricart le¹ **Item** trente perques a la croute au Souf que tient Denis Caperon jous Sevestre Barbey bute sur Symon Caperon. Et en doit pour chescune vergie deux deniers et les services comme dessus est dit. **Item** Olivier Guisle en tient dix perques assavoir a la croute au Souf jous Alixandre Caperon bute sur Symon Caperon. Et en doit pour les dix perques maille et les services comme dessus est dit.

fo. 42^b.

Guill'e Lefuour deux vergies et vint et chinc perques en trois pieces, la premiere jous la terre Saint Pierre bute sur la de guerpie Thomas le Prevost. Et en doit a la Saint Pierre a cause des xxv. perques son aportant de vj boisseaux de fourment. La seconde a la terre Saint Pierre jous la terre Saint Pierre bute sur Thomas le Queminant. La tierche es Noez Caperon jous le dit Queminant bute sur Guillem le Miere. Et en doit iiij b de fourment aux hers jous Bloville. Et pour chescune vergie ij deniers alans audit Seigneur passe par la main dudit esney et les services comme dessus est dit.

¹ Blank in original.

Jehan Berart tient du dit lieu une vergie a la Bruiere et le quart de une vergie joux Raoul Lemonnier bute sur le chemin du Homme. Et en doit ij deniers obole alans a la main dudit Signour par le dit esney et les services comme dessus est dit et ij boisseaux de fourment a Jehan la Rose, etc.

Perres le Marechal vint et chinq perques a la Bruiere joux le chemin du Homme bute sur Guillem le Suour. Et en doit j denier et la moitie de une obole et les services comme dessus est dit.

Item Olivier Guille deux vergies et demie en deux pieces, la premiere au camp Thomas joux Guillem le Suour bute sur le dit Suour, la seconde a la cauce au Pontannin joux Guillem Robert bute sur Guillem le Fevre. Et en doit v.d'alans au Seignour par la main de lesney, et les services comme dessus est dit.

Bicart le Quetrevilles une vergie et demie au Pontannin joux les hers Jehan le Quetre- fo. 43.
villes bute sur la rue de Pontannin. Et en doit trois deniers alans au Seignour et les services comme dessus est dit et ij boisseaux de fourment a Jehan Guille et j boissel de fourment a Jehan le Suour, etc.

Perres Vertin deux vergies assavoir au clos de Laratiere joux Estie des Haies bute sur la riviere.
Item une vergie et demie en dit trans joux Guillem le Suour bute sur la Valee. Et en doit pour chescune vergie deux deniers et les services comme dessus est dit.

Les heres Philippe Jouen vergie et demie en deux pieches, la premiere joux la rue de Franquetot bute sur Sevestre Barbey. La seconde au clos Goderel joux Sevestre Barbey, bute sur la fosse aux Potiers. Et en doit deux d' pour chescune vergie et les services comme dessus est dit.

Raoul le Monnier une vergie et le quart dune vergie joux Jehan Hezart bute sur le quemin du Homme. Et en doit deux deniers et obole et les services comme dessus est dit.

Thomas le Jolif une vergie en son mesuage joux Olivier Guille bute sur la rue de Franquetot. fo. 43^b.
Item une vergie a la mairete joux Raul le Monnier bute sur la dicte rue. **Item** trente perques a la fose joux Jehan Regnault bute sur Jehan Anquetil. **Item** une vergie a prey joux les hers Jouhan le prestre bute sur le prey de Karantillie(?). Et en doit deux deniers pour chescune vergie et les services comme dessus est dit.

Colin Challes une vergie au prey de Franquetot joux Denis Caperon bute sur Perrin le Marechal. Item trente perques a la fosse joux Jouhan le Soc bute sur Jouhan Anquetil. Et en doit pour chescune vergie ij deniers et les services comme deffus est dit.

Guillem le Suour une vergie et dix perques aux Noes Caperon joux les hers Olivier Caperon bute sur Guillem le Miere. Item une vergie en Mont des Fourques joux de la guerpie Guillem Deaune bute sur Thomas le Queminant. Et en doit chescun vergie deux deniers et les services comme deffus est dit.

Symon Caperon, trente perques es hesetes joux Thomas le Queminant bute sur le quemin du Homme. Item demie vergie en la croute joux Olivier Guisle bute sur Denis Caperon. Et en doit pour chescune vergie deux deniers et les services comme deffus est dit.

Alixandre Caperon demie vergie a la croute au souf joux Sevestre Barbey bute sur Simon Caperon. Et en doit j denier et les services comme deffus.

fo. 44.

Jehan Guisle Tient demie vergie a la Haele joux Olivier Guisle bute sur Alixandre. Item une vergie a la Vallee joux Perrin le Marechal bute sur le maresc de Franquetot. Et en doit trois deniers au dit Seignour passés [par] main desney et les services comme deffus est dit.

Jouhan Renaut une vergie es mares Caperon joux Roberge Caperon bute sur Alixandre Caperon. Et en doit deux deniers pour la vergie deffus dicte et semblable service comme deffus.

Item Olivier Guisle une vergie en la croute joux Thomas le Jolif bute sur Jehan Renaut. Et en doit ij. d' semblable et service semblable, etc.

Benest Hebert une vergie et demie au Corbillon joux Sevestre Barbey bute sur le quemin du Homme. Et en doit trois deniers audit escuier par main desney. Et les services comme deffus, etc.

Les heres Simon de Carentem demie acre a la Vallee joux Roberge Caperon bute sur le maresc

de Franquetot. Et en doivent quatre deniers alans audit Seignour par main defney service de fain de moulin et de prevoſte et les aides couſtumiers.

Denis Caperon demie vergie en clos du prey joux Pierres Guille bute ſur le quemin tendant au mareſc. Et en doit j deniers audit eſcuier paſſans par main defney et les ſervices et aides deſſus diſ. fo. 44^b.

Item Pierres la Poſtore une vergie au Pontannin joux les hers Seveſtre le Frances et bute ſur la rue de Pontannin et en doit deux deniers pour la diſte vergie paſſans comme deſſus et les ſervices et aides deſſus diſ.

Item Pierres Guille deux vergies en la croute joux Simon Caperon bute ſur la rue tendante au mareſc et en doit pour cheſcune vergie deux denieres et les ſervices et aides deſſus diſ.

Item Pierres le Mareſchal une vergie et dix perques auprey de Franquetot joux Colin Challes bute ſur la voie tendante au mareſc de Franquetot. **Item** a la maire Sauxinnere demie vergie joux Guillem Couſin bute ſur les hers Thomas Barbey. **Item** a la Vallee chinquante perques joux les hers Jehan Guille bute ſur le dit mareſc. **Item** demie vergie a la fontaine Porrie joux les hers Jehan Caperon bute ſur Denis Caperon. **Item** demie vergie au Corbillon joux Seveſtre Barbey bute ſur le quemin du Homme. Et en doit pour cheſcune vergie deux deniers et les ſervices moutes et aides deſſus diſ.

Colin Challes dix perques au prey joux Perrin le Mareſchal bute ſur la voie tendante au mareſc. **Item** demie vergie a la foſſe joux Jehan le Preſtre bute ſur Jehan le Soc. Et en doit ſept deniers 10. 45. obole alans audit eſcuier et les ſervices aides et moutes deſſus diſ.

Pierres le Mareſchal filz Guillem demie vergie de prey joux Colin Challes bute ſur Seveſtre Barbey. Et en doit j d' et les ſervices aides et moutes deſſus diſ.

Guillem Couſin deux vergies et demie a la maire Sauxinnere joux les hers Jehan Guillem bute ſur luy. **Item** une vergie a la corte terre joux Denis Caperon bute ſur les hers Ricart le Mareſchal. Et en doit pour cheſcun vergie deux d' et les ſervices aides et moutes deſſus diſ.

Guillaume Affeline demie vergie sur La Pierre joux Hebert Boucain bute sur Jehan le Prevost et en doit vij d' obole audit Signour par main de esney et les services aides et moutes dessus dis.

Benet Hebert xxv perques sur La Pierre joux Guillem Coufin bute sur Jehan le Prevost et en doit vij d' demie maille et les services aides moutes dessus dis.

fo. 45^b.

Guille Hebert cinquante perques au molinel joux les hers Pierre le Grant bute sur Jehan Affeline. Et en doit deux deniers obole alans audit escuier par la main de lesney et les services aides et moutes dessus dis.

Alixandre Caperon deux vergies et demi a la fosse Piquet joux Jehan Guisle bute sur Pierres le Marechal. Et en doit v. d' audit Signour par la main de lesney et les services aides et moutes dessus dis.

Les heres Alis de Hotot trois vergies a La Vallee joux Perrin le Marechal bute sur le marefc. Et en doit pour chescune vergie deux deniers alans audit Seignour par la main de lesney et les services aides et moutes dessus dis.

La de Guerpie Thomas le Prevost une vergie de prey joux Alixandre Caperon bute sur Thomas Anquetil. Item trente perques es preaux joux Jehan le Soc bute sur ledit Soc. Et en doit trois deniers obole audit escuier par main desney et les services aides et moutes dessus dis.

Jouhan le Soc trente perques en son mesuage joux Jehan le Prevost bute sur la rue de la fosse. Et en doit trois mailles audit escuier par main desney et les services aides et moutes dessus dis.

fo. 46.

Sevestre Barbey une vergie en son mesuage joux Guillem Coufin bute sur les hers Phe' Jouhan. Et en doit deux deniers audit Seignour et les services aides et moutes dessus dis.

Guillaume le Sepure une vergie et demie en son mesuage joux le quemin tendant de Beuseville a la haie Dupuis bute sur la rue tendant a la quemune. Et en doit iiij s de fourment a Guillem le

Miere et vijd. **Item** demie acre a la campagne joux Damien Maresquier bute sur le dit quemin et en doit vij boisseaux de fourment a Ricart Coefnon. **Item** une vergie en dit trans joux Olivier Guille bute sur Guillem Coufin. **Item** trente perques en mesuage es Mieres joux Guillem Coufin bute audit quemin. **Item** une vergie a Longbouel que tient Guillem Boncamp joux Jehan le Frances bute sur Jehan Anquetil. Et en doit pour chescune vergie deux deniers et les services aides et moutes dessus dis.

Colin Houel trois vergies a Coignies en herbegaige joux Perrin la Postore bute sur le chemin tendant a Carenten. **Item** une vergie au ¹ de trois ans la quille est aux heres Guille Lemonier joux la piece de terre dessus dicte et le dit Apostore des costes bute sur la quemine de Pontannin. Et en doit pour chescune vergie deux deniers audit Seigneur par main desney et les services aides et moutes dessus dis.

Item les heres Jehan la Postore une vergie en herbegaige joux la rue des preys bute sur les heres Jehan Guille. **Item** demie vergie en la croute joux Olivier Guille des costes bute au chemin. **Item** une vergie a Pontannin joux Guillem Robert bute sur Guillem Mathieu. **Item** trente perques en marescq joux la de guerpie Philipe Jehan bute sur Sevestre Barbey. **Item** une vergie es mares joux le dit Sevestre bute sur les heres Jehan Guille. Et en doivent pour chescune vergie deux deniers et les fo. 46^b. services aides et moutes dessus dis.

Denis Caperon une vergie es Vallez joux Sevestre Barbey bute sur Alixandre Caperon. Et en doit deux deniers audit Seigneur et les services aides et moutes dessus dis.

Item Colin Challes une vergie de prey joux Thomas Anquetil bute sur Perrin le Marefcal. Et en doit audit Seigneur par main desney les services aides et moutes dessus dis.

Item les heres a la Postoire une vergie sur le prey joux Sevestre Barbey bute sur le dit Barbey. Et en doivent ij d' audit Seigneur par main desney et les services aides et moutes dessus dis.

Item Guillem Coufin une vergie aux croutes de Pontannin joux le chemin de Beuseville bute sur Guillem Robert. **Item** une vergie illec joux Guille le Feyvre bute sur le dit chemin. Et en doit deux deniers pour chescune vergie et les services aides et moutes dessus dis.

¹ Blank in original.

fo. 47.

Sevestre Barbey une vergie et demie en son mesuage joux Guillem Cousin bute sur les heres Phillipe Jehan. **Item** a Gaillart les deux pars de demie acre de terre joux Perrin le Marefcal bute sur le quemin du Homme. **Item** es Preaux demie vergie joux Jehan le Prevost bute sur le dit Jehan. **Item** une vergie es maires joux les heres Jehan Bertin bute sur les heres Guillaume Caperon. **Item** une vergie a la Vallee joux Alixandre Caperon bute sur le dit Alixandre. **Item** a la croute Osouf quatre vergies joux le dit Alixandre bute sur Sanfon Caperon. **Item** auprey vergie et demie joux Thomas le Jolif bute sur Perrin le Marefcal. **Item** a la Haelle trente perques joux Olivier Guisle bute sur Alixandre Caperon. **Item** sur le prey une vergie joux le dit Barbey bute sur le dit Sevestre. **Item** une vergie au prey joux Denis Caperon bute sur Thomas le Jolis et en doit deux deniers pour chescune vergie et les services aides et moutes dessus dis.

Item Thomas le Duetrevilles vergie et demie au Pontannin joux Guillem le Suour bute sur la voie tendante a Baupte. Et en doit iij d. et les services aides et moutes dessus dis.

Item Guille le Suour une vergie a Pontannin joux Guillem Cousin bute sur Olivier Guisle. **Item** une vergie au camp Thomas joux les heres Philippe Jehan bute sur le cheminant. Et en doit iiij d' et les services aides et moutes dessus dis.

Item les heres Philippe Jehan une vergie au marefcq de Franquetot joux Jehan Guisle bute sur le dit marefcq et en doit ij d. et les services semblables.

fo. 47^b.

Thomas le Cheminaunt une vergie au camp Thomas joux Guille le Suour bute sur Guille Lemiere. Et en doit ij d. et les services semblables.

Les heres Ricart Depin une vergie et v perques sur le marefc de Franquetot joux Pierre Guisle bute sur le dit marefc. Et en doivent ij d. et poitevine alans audit Seigneur et les services aides et moutes dessus dis.

Baillie lenesche cy devant devisee par fin de teneur par lesne dicelle aux ples dudit Seignour tenus a Franquetot par Jehan Barbe seneschal dudit Seigneur lan mil ccc.^{xx}iiij en presence de moy Jehan Fouques prestre tabellion du siege de Baupte qui pour tesmoing de ce ay mis cy mon signe manuel.

Alixandre Caperon Tient dudit Seigneur de Franquetot lui et ses perchonniers en fieue et par homme une esneche resseantise appelle le fieue Caperon contenant trente acres de terre et en doivent lui es ses parchonniers audit Seigneur vint et chinc soulz tournois a la feste Saint Albin ij journees de carue et deux de hercheure cest assavoir une a treizoiz et lautre a yvenaige, et le quart des fains menans sur mesmes les fieux, service de prevoste et les trois aides acoustumieres de Normendie. **Item** doivent au tresor de leglise Dappeville chinc soulz tournois a la feste Saint Clement du don Mons. Michel des Fontaines jadis Seigneur de Pretot sur la descharge de trente soulz que fouloit dever le dit fieue. fo. 48.

Premierement.

Le dit Caperon Ainsney Tient de la dicte esneche trois vergies de terre a Franquetot son herbeгаige assis dedens joux les heres Jehan Caperon et le dit Alixandre des costes bute sur Thomas le Jolif et sur le dit Alixandre des bus. **Item** une vergie de terre en sa croute joux Olivier Guille et le dit Alixandre des costes bute sur Jehan Guille. **Item** une vergie illec joux Denis Caperon des costes et bute sur le quemin tendant au marescq de Franquetot. **Item** il tient une vergie en trans de la mairete joux Simon Caperon et les heres Grant Guillem des costes bute sur le quemin tendant au maresc de Franquetot. **Item** une vergie en trans de la helle joux les heres Jehan Caperon et Thomas Anquetil des costes bute sur Guillem. **Item** une vergie en trans du prey N^{re} Dame joux les hers Michel Alaire et les heres Colin Caperon des costes bute sur la riviere du maresc. **Item** demie vergie de prey es pres de Franquetot joux Denis Caperon et le dit Jehan Fortescu escuier des costes bute sur Simon Caperon. **Item** une vergie et demie de prey illec joux Jehan le Prevost et Michel du Hamel des costes bute sur Jehan Anquetil. **Item** demie vergie assise es fosses joux Simon Caperon et Thomas le Jolis des costes bute sur le quemin tendant au maresc de Franquetot. **Item** une vergie en trans de la maire Osouf joux Guillem Robert a cause de sa fame bute sur Denis Fortin. **Item** une vergie en trans de la Vallee joux Simon Caperon et les hers Colin Caperon des costes bute sur Simon Caperon. **Item** une vergie en dit trans joux les heres Jehan Caperon et le quemin tendant au maresc de Franquetot des costes bute sur Guillem Mathieu. **Item** demie vergie en dit trans joux Guillem Robert a cause de sa fame et les heres Colin Caperon des costes bute sur la riviere du maresc de Franquetot. **Item** trente perques en trans de l'espinois hezart joux Denis Caperon et Guillem Colette des costes bute sur le quemin tendant a Baupte au molin Tombe. **Item** une vergie en trans du camp Thomas joux Guillem le Suour et Jehenet le Pigaut des costes bute sur Guillem Lemiere. **Item** trente perques au quefne de Franquetot joux Guillem Asseline et Damien Maresquier des costes et bute sur le quemin du Homme. Et en doit le dit Alixandre a cause d'une vergie de terre comprise en dit fieue joux son mesuage a Denis Desfeyne vj. b. de fourment mesure de Franquetot. **Item** doit audit Denis ij boisseaux a fourment a la dicte mesure le tout a la feste Saint Michel en Mont de Gargane a cause d'une butiere de terre par devers le vinier joux Simon Caperon. fo. 48^b.

Touhan le Suour vint et une vergie son herbeгаige assis dedens ainsi comme il se pourporte en

lonc et en ley assis au Pontannin joux Jehan Colete dun coste et les heres Guille le Francez et Mestre Jehan Bloville et Perrin la Postore dautre bute sur la rue de Pontannin et sur la maire qui en¹ des bus. Et en doit audit Seigneur trois deniers tournois pour chescune vergie passant par la main de lesney a la feste Saint Albin. *Item* doit son aportant des services faisances et redevances appartenants au dit lieu soit en prevoste service de fain ou autre, et les trois aides acoustumes en Normendie. *Item* il en doit a Robert Taillefer a cause de sa fame xxij boisseaux de fourment mesure de Coignies. A Ricart la Rouze a cause de sa fame v. boisseaux de fourment a la dicte mesure. *Item* au tresor de leglise Saint Pierre de Coignies i ½ et demie de fourment a la dicte mesure. *Item* le dit Jehan tient du dit lieu une vergie au Pontannin joux Mestre Jehan Bloville bute sur le quemin tendant de Baupte au molin de Tombe, Et en doit trois d. audit Seigneur pour chescune vergie a la feste dessus dicte per la main de lesney et son aportant des services dessus dis et les trois aides dessus dis. *Item* il en doit a Jehan Courtel a cause de sa fame i reis daveine mesure de la Haie Dupuis. *Item* le dit Jouhan tient deux vergies de terre en trans de la Danoudire joux Jehan Colete et le dit Jouhan des costes et bute sur le quemin tendant du molin de Tombe a Baupte. Et en doit audit Seigneur trois deniers pour chescune vergie passant la main dudit esney et son portant des services du dit lieu et les aides dessus dis es termes acoustumieres.

fo. 49.

Mestre Jehan Bloville deux vergies de terre en trans de la Danoudire joux Jehan le Frances et Jouhan le Suour des costes bute sur la rue de Pontannin. Et en doit audit Seigneur trois d' pour chescune vergie passant par la main de lesney et son aportant des services comme dessus et des aides coustumieres de Normendie.

Perrin Lapostore huit vergies et demie en trois pieces la premiere en trans de la marene joux les heres Perrin le Frances et Jouhan le Suour des costes bute sur le quemin tendant de Baupte au moulin de Tombe la seconde en dit trans joux Jehan le Suour et Robert Taillefer a cause de sa fame des costes bute audit quemin la terche en trans de Travessain joux Jehan le Suour et Mestre Jehan Bloville des costes bute au quemin dessus dit.

Jouhan le Frances deux vergies en trans de la Danoudire joux Mestre Jehan Bloville et Jehan Colete des costes bute sur la rue de Pontannin et en doit iij d' pour chescune vergie et sa part des services et aides dessus dites semblable.

Guillot le Fevre une vergie et demi de terre a lespine joux Guillem le Suour et Denis Caperon des costes bute sur le quemin tendant a Baupte au moulin de Tombe et en doit iij d' pour chescune vergie et les services et aides semblable.

¹ Blank in original.

Robert Taillefer a cause de sa fame une vergie et demie de terre soubz les maltez de Pontannin joux Perrin la Postore et Guillem Lemiere des costes bute sur la cariere tendante au marefc. Et en doit semblable iij d. pour chescune vergie et sa part des rentes services et aides dessus dis. fo. 49^b.

Thomas le Perdriour a cause de sa fame deux vergies de terre en son herbegaige assis dedens joux Guillem le Suour et Guillem Lemiere des costes bute sur le quemin tendant de Beuseville a la Haie Dupuis. Et en doit semblable iij d' tournois pour chescune vergie a la dicte feste et sa part des services et aides dessus dis. Et en doit a Alixandre Caperon deux boisseaux de fourment mesure de Coignies.

Guillaume le Suour vi vergies de terre en deux pieces la premiere contenant iiiij vergies en trans de la terre Saint Pierre joux le dit Guillem et les heres Thomas le Prevost bute sur Simon Caperon. La seconde contenant deux vergies joux le quemin du Homme et les dis heres du dit Prevost bute sur les heres Jehan Guillem. Et en doit semblable trois d' pour chescune vergie et son aportant des services et aides dessus dis. Et si doit la premiere piece de terre vj boisseaux de fourment mesure de Coignies au tresor de leglise Saint Pierre de Coignies.

Jehan Colete le tiers d'une acre de terre en trans de la Danodire joux Jouhan le Frances et le dit Jehan des costes bute sur la rue de Pontannin. Et en doit iij d' tournois a la Saint Albin passants la main de lesney et son aportant des rentes et services dessus dis. Et si en doit a la de guerpie Thomas le Soc deux reis d'avenue a la mesure de Coignies.

Les hers Jehan Caperon une vergie ou est assis leur mesuage a Franquetot joux Alixandre Caperon et la rue de Franquetot des costes bute sur Olivier. Et en doivent a Denis Deseyne neuf boisseaux de fourment mesure de Franquetot. *Item* une vergie en la croute joux Denis Caperon des fo. 50. costes bute sur le dit Denis. *Item* une vergie en trans de la helle joux Denis Caperon et Alixandre Caperon des costes bute sur Guillem Aubri. *Item* une vergie sur le prey joux Sevestre Barbey et Jehan Anquetil des costes bute sur les preis de Franquetot. *Item* une vergie en la croute Osouf joux Denis Caperon et le dit Alixandre des costes bute sur la riviere du marefc. *Item* une vergie a la maire Osouf joux le dit Alixandre et le dit Denis des costes bute sur Guille Mathieu. *Item* demie vergie a la Vallee joux Simon Caperon et le dit Denis bute sur la riviere du marefc. *Item* trente perques de terre a la fosse joux Denis Caperon et Thomas le Jolis bute au quemin tendant du mostier de Coignies a Franquetot. *Item* demie vergie de prey es preis de Franquetot joux Simon Caperon et le dit Denis bute sur le dit Denis. Et en doivent trois deniers pour chescune vergie et son aportant des services et aides dessus dis.

Guillaume Robert a cause de sa fame demie acre de terre¹ marez joux les Quetrevilles et Jehan Guillem des costes bute sur les Quetrevillez. **I**tem demie vergie a la Vallee joux Simon Caperon et Alixandre Caperon des costes bute sur la riviere du marefc. **I**tem demie acre de terre a la Vallee joux Oliveret Guillem et les heres Colin Caperon des costes bute sur la riviere du marefc. **I**tem une vergie a la maire Osouf joux le dit Alixandre des costes bute sur Simon Caperon. **I**tem une vergie illec joux le dit Alixandre des costes bute sur la riviere du marefc. **I**tem trente perques au Bertot joux Denis Caperon et Oliveret Guisle des costes bute sur la riviere du marefc. **I**tem une vergie au prey N^re Dame joux les heres Jehan Guisle et les heres Colin Caperon bute sur Jehan Anquetil. **I**tem deux vergies aux Noes Caperon joux Guille le Suour et Perrin la Postore des costes bute sur Guillot le Feyvre. **I**tem demie acre en dit trans joux Ricart le Quetrevilles et Oliveret Guisle des costes bute sur le dit Feyvre. **I**tem une vergie en dit trans joux le dit Oliveret et le dit Guillem des costes bute sur Guillem Lemiere. Et doit semblable trois d' tournois pour chescune vergie et son aportant des services et aides dessus dis.

fo. 50^b.

Thomas le Quetrevilles tant lui que ses aleroms huit vergies de terre et le tiers de deux vergies lesquelles sont en vj pieces, premiere le dit Thomas tient du dit lieu en son non trois vergies de terre ou est assis son herbegaige a Pontannin joux lele Thomas et Ricart les Quetrevilles des costes bute sur la rue de Pontannin et sur le quemin tendant du moulin de Tombe a Baupete. Et en doit iij d. pour chescune vergie semblable et son aportant des services et aides dessus dis. Et si en doit trois boisseaux de fourment mesure de Coignies et une guelline a Guillem le c'eir [cusenier ?] de labbe de Lessey.

Item Jehan Colete tient du dit lieu soubz laille du dit Thomas une vergie et le tiers d'une vergie en trans de la Danoudire joux le dit Jehan et Perrin la Postore des costes bute sur la rue de Pontannin et en doit semblable trois d' pour chescune vergie et son portant des deux tiers et des services et aides dessus dis.

Item Perrin la Pastore une vergie et le tiers de deux vergies en trans dessus dit joux Colin Houel et Jehan Colete des costes bute sur la rue de Pontannin. Et en doit iij d' pour vergie semblable et son portant du tiers et des services et aides dessus dis. **I**tem il en doit au tresor de leglise de Saint Martin de Vuidefont j boiffel de fourment mesure de Coignies.

Les hers Phôt Jouhan une vergie en Mont des Fourques joux Guillem le Suour et Ricart Dyanne des costes bute sur Thomas le Queminant des bus. Et en doit iij d' pour vergie et sa part des services et aides dessus dis.

¹ Blank in original.

Item Ricart Dyanne une vergie illec joux les heres Phôt Jehan et Guillem le Suour des costes bute sur Thomas le Queminant des bus. Et en doit iij d' pour chescune vergie et sa part des aides et services dessus dis.

Thomas le Queminant une vergie al ourme de Franquetot joux Simon Caperon bute sur le fo. 51.
quemin tendant de Beuseville a la Haie Dupuis. Et en doit iij d' pour chescune vergie et sa part des services et aides dessus dis.

Ricart le Quetrevilles une piece de terre contenant trois vergies ou viron et est son mesuage assis dedens a Pontannin joux Denis le Quetrevilles et le dit Ricart des costes bute sur la rue de Pontannin. Et en doit trois d' tournois pour chescune vergie et son portant des services et aides dessus dis. Et si en doit a Pierre des Grauces v. boisseaux de fourment mesure de Coignies. **Item** a Colin le Chipaut trois boisseaux de fourment a la dicte mesure et pourpart de la croute tant a luy que de l'autre si comme le dit Ricart le dit.

Symon Caperon vergie et demie a Franquetot son herbage assis dedens joux Alixandre Caperon et le quemin tendant de Franquetot a Pontannin bute sur la rue de Franquetot et sur Guillem Mathieu des bus. **Item** demie vergie es fosse joux le dit Alixandre et Denis Caperon bute sur le quemin tendant au maresc. **Item** demie vergie de prey es pres de Franquetot joux Jehan Anquetil et le dit Alixandre bute sur les heres Jehan Caperon. **Item** une vergie a la Vallee joux Alixandre Caperon des costes bute sur la riviere de Franquetot. **Item** demie vergie illec joux les heres Jehan Caperon et Guillem Robert a cause de sa fame des costes bute sur la riviere du maresc de Franquetot. **Item** une vergie a la marete joux ledit Alixandre et Thomas le Jolis des costes bute sur les heres Jehan Caperon. **Item** une vergie a la croute Jehan Guille joux les heres Jehan Caperon et le dit Simon des costes bute sur Denis Caperon. **Item** une vergie a la croute Osouf joux les heres Jehan Caperon bute sur la riviere du marescq. Et en doit iij d' pour chescune vergie et son portant des rentes et services dessus dis. Et anfi en doit a Denis de Seyne dix boisseaux de fourment mesure de Coignies a la Saint Michel en moutes de gaiges.

Denis Caperon une vergie entre les lieux joux Thomas Varin et Sevestre Barbey des costes bute fo. 51.
sur Thomas le Jolif. **Item** demie vergie a la Vallee joux les heres Jehan Caperon et Olivier Guisle des costes bute sur le maresc de Franquetot. **Item** une vergie a la maire Osouf joux Simon Caperon et Jouhan Renaut des costes bute sur Guillem Mathieu. **Item** une vergie illec joux le dit Renaut et le dit Denis des costes bute sur Simon Caperon et sur le marescq de Franquetot. **Item** une vergie aux fosses es Potiers joux le dit Jolis et le dit Denis des costes bute sur Guillem Mathieu et sur Jehan Guisle. **Item** trente perques a la voie Bourdon joux les heres Jehan Caperon et le quemin de la voie Bourdon des costes bute sur Jehan Anquetil. **Item** xv perques en sa croute joux Perrin Yon escuier

et les heres Jehan Caperon des costes bute sur Jehan Guisle. *Item* une vergie a la courte terre joux Jehan de Caucillie escuier et Guillot Coufin des costes bute sur les heres Colin de Carenton. *Item* une vergie a la helle joux les heres Jehan Caperon et le dit Denis des costes bute sur Guillem Aubri. *Item* demie vergie en la croute joux les heres Jehan Caperon et le dit Alixandre des costes bute sur le dit Denis. *Item* demie vergie de prey aux preis de Franquetot joux le dit Alixandre et les heres Jehan Caperon des costes bute sur le dit **Fortescu** Seigno^r du dit lieu de Franquetot. *Item* une vergie et demie a la Goberdire joux Guillot Mathieu et Olivier Guisle des costes bute sur le marescq de Franquetot. *Item* demie vergie en la croute joux Alixandre Caperon bute sur le dit Alixandre. *Item* demie vergie es fosses joux Simon Caperon bute sur le dit Caperon. Et en doit a Jehan Leleduit de ces trois defrenniers pieces deux boisseaux de fourment mesure de Car[enton]. *Item* tient demie vergie affise joux le prey Colin Challes et Olivier Guisle des costes bute sur la voie tendante de la maison Jehan Guisle a marescq de Franquetot. *Item* trente perques de terre a lespinois hezart joux le dit Alixandre Caperon et Guillot le Fevre des costes bute sur Sevestre Barbey. Et en doit au dit Seigneur semblable trois d' pour chescune vergie et son aportant des services et aides dessus dis. Et si en doit a Guillot Grout trois boisseaux mesure de Coignies sur le clos qui fut Robert le Berar.

fo 52.

Jouhanne de guerpie Guillem le Mareschal trois vergies a la Hogue joux Thomas du Roquier escuier et Thomas Anquetil des costes bute sur Jehan Anquetil. Et en doit semblable trois deniers pour chescune vergie et son aportant des services et aides dessus dis.

Guillet Affeline trente perques ou partie de son mesuage est assis a Franquetot joux Jehan Affeline et le dit Guillet des costes bute sur le quemin tendant de la Pierre a cas de Franquetot. *Item* trente perques au quefne de Franquetot joux le dit Alixandre bute sur le quemin tendant a Beusville au Pleffeis. Et en doit audit Seigneur semblable iij d' pour chescune vergie passante [par] main desney et son aportant des services et aides dessus dis.

Baillie ceste esneche par fin de tenour par lesney dicelle aux ples dudit Seigneur tenus a Franquetot par moy Jehan Barbey seneschal dudit Seigneur lan mil ccc ^{xx}iiij et j. le xx jour de Novembre. En presence de moy Jehan Fouques prestre tabellion du siege de Baupte qui pour tesmoing de ce ay mis cy mon signe manuel.

Jehan Affeline Tient du dit Seigneur de Franquetot tant lui que ses perchonniers une esneche resseante appelle le lieu Vigier contenant six vergies. Et en doivent tant lui que ses perchonniers chescun an au terme de la Saint Michel six boisseux de fourment mesure du Pleffeiz deux pains deux guellines a Noel xx oeufs a Pasques et service de fain faire service de Prevoste et si doit les aides coustumieres de Normendie.

Premierement.

fo. 52^b.

Le dit Affeline esne tient dicelle esneche deux pieces de terre assises au hamel de Franquetot la premiere en herbegaige contenant une vergie joux le dit Jehan et le quemin qui va de Quetreville a Franquetot des costes bute sur le quemin tendant de Franquetot au marescq la seconde contenant trois vergies sur la Pierre de Franquetot joux le dit Jehan et Guille Cousin des costes bute sur Guillem Affeline dun but.

Benet Hebert une piece de terre contenant demie acre a Franquetot en trans des viellez Carrieres joux Jehan Guille et Guillet Affeline des costes bute sur Colin Charles. Et en doit son aportant des rentes et services dessus dis par la main du dit esney.

Denis Caperon tient du dit Seigneur de Franquetot une piece de prey contenant six perques es preis de Franquetot joux le dit Seigneur et Sevestre Barbey des costes bute sur Jehan de Cautillie escuier et sur Jehan Regnaut. Et en doit le dit Denis une boisseux de fourment mesure du Plesseiz chefcun an a la Saint Michel reliefz et xiiij^{es}. quant eux chaient.

Sevestre Barbey une piece de terre contenant chinc perques au preis de Franquetot joux Guille Mathieu et le dit Seigneur des costes bute sur le dit Mathieu et sur Jehan Anquetil des bus. Et en doit chefcun an a la Saint Michel ung boisseux de fourment mesure du Plesseiz o homaige reliefs et xiiij^{es} quant ilz chaient.

Baillie par ses dessus dis par fin de teneur au ples du dit Seignour tenus a Franquetot par Jehan Barbey seneschal du dit Seigno^r lan mil ccc^{xx} iiij. En presence de moy Jehan Fouque prestre tabellion du siege de Baupte qui pour tesmoing de ce ay mis cy mon signe manuel.

fo. 53.

Item Jehan Affeline doit au dit Seignour quatre boisseaux de fourment mesure du Plesseiz de rente et a justice j^o. piece de terre contenant trois vergies en lesclufete de Franquetot joux Ricart le Bourges dun costey et Thomas Anquetil dautre bute sur lesclufete de Franquetot et sur le venid qui fut Guillem Bauptes dautre de la vente au dit Jehan faicte au dit Signour per voie dexecucion a estre en justice par le Sergent du Roy nostre seigneur par corps et par biens non obstant la justice dessus dis comme il appert par lettre passe a Carenton devant Phöt Hais tabellion du lieu le ix^e jour Davril lan mil ccc^{xx} iiij ainsi signe. P. Hais.

Guillaume le Bourges doit audit Seigneur trois boisseux de fourment mesure de Franquetot de rente et a justice deux pieces de terre et sur chescune piece pour le toulz assis en franc lieu de Franquetot, la premiere piece a la Troucele contenant j^e. vergie jous Guille Affeline et les heres Colin du Hamel bute sur le douit tendant dilleoque au mollineau de Franquetot et sur le dit Guille Affeline des bus, la seconde a la maire au Sor jous les heres Michel a¹ . . . et Pierres le Marechal des costes bute sur le dit lieu du mollinel et sur la dicte maire au Sor des bus laquelle rente le dit Bourges est tenu fournir sans amenisement de la vente Pierres Yon comme il appert par lettre passe devant Dan Jehan Fouques tabellion de Baupte le ix^e jour de Juillet lan mil ccc^{xx} iij.

fo. 53^b.

Symon Caperon doit audit Seigneur ij boisseaux de fourment mesure du Pleffeiz de rente et a justice sur toulz son heritaige et ce non obstant soblige a estre en justice par le Sergent etc. ou par le Prevost du dit Signour touteffois etc. par tous ses biens meubles et heritaiges comme il appert par lettre passe devant le dit Hais tabellion de Carenten le premier jour Davril lan mil ccc^{xx} iij et j. ainfi signe. P. Hais.

Alixandre dis Les Caperons doivent audit Seignour trois boisseaux de fourment a la mesure Symon¹ . . . du Pleffeiz un pain de manse un capon un pain une guelline a Noel dix oeufs a Pasques donc le dit Alixandre paiera ij boisseaux du dit fourment j pain j capon et le dit Simon paera j boissel du dit fourment le dit pain et guelline et dix oeufs en la maniere que dit est. Et a justice sur le tenement subget a xxix boisseaux et le tiers dun boissel de fourment que ont acquis les dis Caperons de Denis de Seyne bourges de Perreis et non obstant soblignent a estre en justice par le Sergent du Roy nostre seignor par voie dexecucion et sur tous leurs autres heritaiges et sur chescun pie pour letout et de chescun de eulx comment il appert par lettre passe devant Thomas Pierres Viconte de Carenton la iiij^e jour de Mars lan mil ccc^{xx} iij.

Bicart de Tresgos doit uns gans de iij d' pour malpertuiz que paie a present Simon Caperon a fere en justice sur j^e vergie et demie de terre assise en la croute Jouh jous le dit Simon des costes bute sur Pierre le Marechal dun but et sur la voie de la fosse Pippet, et avecque ce en doit le dit Simon au dit Fortescu aides reliefs xiiij^{ss} et service tant de prevoste que autres etc. et ya a prendre Pierres des Granches ij boisseaux de fourment de la vente Girart le Prevost.

fo. 54.

Guillaume Convenable doit uns gans de iij d' o hommaige que paie a present Sevestre Barbey a fere en justice sur demie vergie de terre assise en son mesuage jous le dit Barbey dun costey par devers la granche du dit mesuage et dautre coste est vanid au clos du dit Barbey et bute dun but a la rue de

¹ Blank in original.

Franquetot et de lautre sur Guille Coufin. Item sur trente perques de terre assises au clos Goderel
joux les heres Thomas Varin et Sevestre Barbey des costes bute dun but sur le Priour du Fresne et sur
Jehan Anurey dautre. Et doit le dit teneur au dit Fortescu reliefs xiiij^{es} services et aides quant il
chaient. Et y prennent les heres Jourdan Convenable deux boisseaux de fourment sur le dit teneur.

Bicart et Denis le Quetrevilles doyvent ij boisseux de fourment mesure de Coignies par
lettre executore a justice sur tous leurs heritaiges et sur chescun pie pour le tout de la vente Jehan
Courtel si come il appert par lettre real sur ce faite.

Folio 54^b is blank.

fo. 55.

Cy ensuit la maniere comme Richart Fortescu

escuier Seigneur du Buiffon tient sa terre et de qui et les rentes quil en doit

premiers ensuit la teneur de son franc fieu

de Franquetot.

Richart Fortescu tient son fieu de Franquetot par foy et par homaige de noble homme Mons. Michel le Bastart de Guefclin et de Madame sa fame a cause delle par le quart dun fieu de Haubert tenir franchement et noblement a court et usage a simple gaige et plege assis es parroisses de Quetreville et de Coignies en Bauptez. Et en doit le dit **Fortescu** audit chevalier et dame a cause delle les aides coustumieres telles comme audit quart de fieu peult appartenir par raison et par coustume la garde ou le relief quant le cas soffre. Et a le dit **Fortescu** en dit fieu plusieurs rentes services faifances et redevances et plusieurs autres nobleces et dignites franchises et droites segon ce que le dit **Fortescu** et ses predecessours en ont use en temps passe.

Item Richart Fortescu tient son franc fieu de Mons par foy et par hommaige du Roy notre Seigneur par le sexte dun fieu de Haubert et le tient noblement et franchement a court et usage a simple gaige et plege donc le chief du dit fieu est assis en la parroisse de Sainte Marie du Mont et se estent en la parroisse de Brucheville. Et en doit ledit **Fortescu** au Roy notre Seigneur les aids coustumieres telles comme audit siexte de fieu peult appartenir par raison et par coustume la garde ou le relief quant le cas souffre. Et a en dit fieu plusieurs rentes et ung moulin a eau services faifances et redevances et plusieurs autre nobleces franchises droitures et dignites segon ce que lui et ses predecessours en ont use en temps passe, etc.

fo. 55^b.

Item Richart Fortescu tient son franc Destaville par foy et par hommaige de noble homme Mons. Guille aux Espaulles chevalier par huitiesme dun fieu de Haubert noblement et franchement a court et usage a simple gaige et plege donc le chief est assis en la parroisse de Sainte Marie du Mont. Et en doit le dit **Fortescu** au dit Mons. Guilleme les aides coustumiers telles comme audit huitiesme de fieu peut appartenir par raison et par coustume la garde ou le relief quant le cas souffre. Et a en dit fieu plusieurs rentes services faifances et reddevances et plusieurs aultres nobleces franchises droitures et dignites segon ce que lui et ses predecessours en ont use en temps passe, etc.

Item ensuit la fourme comme Richart Fortescu tient son franc fieu de Hubertville et comme il le bailla. Soubz la souverainete du Roy notre Seigneur je Richart Fortescu a cause de Guill'ete du Hommet confesse et avoue tenir en parage en premier degrey le ligne de noble homme Monsieur Jehan du Hommet chevalier Seignour de la Varanguire froyre de la dicte damoisselle une vavassourie contenant soixante acres de terre de laquelle les hers de feu Jehan de Beusseville de Hubertville sont en ma foy et hommaige. Et en est le chief assis en la dicte parroisse de Hubertville ung coulombier seant dedens et sestent en la parroisse de Saint Germain de Tournebuc et la tiennent les dite hers de Beusseville de moy franchement et honnourablement a court et usaige o simple gaige et plege. Et en fuy tenu faire audit chevalier telles droitures comme il appert aparagier en premier degrey de ligne. Et men doivent les dis hers chescun an onze livres tournois de rente au jour Saint Michel et si men doivent la garde ou le relief et les aides coustumieres quant le cas soffre.

Item ensuit la teneur comme Jehan de Beusseville de Hubertville bailla a Jehan Fortescu sa teneur qui dit ainfi. Je Jehan de Beusseville confesse et avoue tenir soubz et en la haulte jurisdiction du Roy fo. 56. de Navarre mon trefredoubte Seigneur par foy et par hommaige de Jehan Fortescu et de Guillete du Hommet sa fame a cause delle une vavassourie tenue franchement et honnourablement o court et usaige et a toulz ce qui a simple gaige et pleige peut et doit appartenir contenant soixante acres de terre donc le chief est assis en la parroisse de Hubertville ung coulombier seant dedens et sestent tant en la dicte parroisse que en celle de Saint Germain de Tournebuc. Et en doy audit Fortescu et a sa dicte fame par raison de lassiete et tournee que len avoit faite a cause de la dicte fame Jehan du Hommet escuier Seignour du dit lieu de la Varanguire froyre dicelle chescun an de rente au terme de la Saint Michel onze livres tournois et les reliefs et les aides coustumieres toutes foiz que eulz chaient. En tesmoing de ce ceste lettre est scellee du scel des obligations de la Viconte de Valoignes qui ya este mis a ma requeste le septieme jour de Mars lan mil ccc soixante et treze.

Item ensuit comme Richart Fortescu tient son franc fieu du Buiffon assis en la parroisse de Sainte Marie du Mont lequel il tient de Mons. de Saint Sauveur le Viconte a cause et par raison de la baronie Dauebec par une franche vavassourie contenant soixante acres de terre donc le chief est assis en la dicte parroisse ung coulombier seant dedens et ung moulin a eau et sestent en la parroisse de Brucheville et a le dit Fortescu plusieurs services fraunchises droitures et dignites appartenants audit fieu et vavassourie et ausi a droit de vres quant eulx arrivent sur les metes de son fieu et vavassourie comment il peult appare par lettre de baillie sur ce faite donc la copie ensuit. Et en doit ledit Fortescu audit Seigneur foy et hommaige et si en doit iij s' tournois pour aide qui se paient de trois an en trois ans quant le monnaige chiet. Et les doit ledit Fortescu paier au Prevost Dangoville qui les paie au comptour du Seigneur, et ausi doit ledit Fortescu reliefs xiiij^s. et les iij aides coustumieres quant eulx chaient.

A tous ceulx qui ces lettres verront ou orront Mahie de Varennez bailli de Saint Sauveur le fo. 56^l.

fo. 57. Viconte et de Nehou pour Mons. de la Riviere seigneur desdis lieux salut, comme en la parroisse de Sainte Marie du Mont en lan mil ccclx et quinze devant passe fut venu et arrivey ung poisson appelle ung Cernot de mer en lieu et seignourie de Jehan Fortescu escuier appelle le lieu du Buiffon en la dicte parroisse lequeil par le Sergent ordinaire du lieu eust este mis en fauvete et seure garde affin que la mer ne len portast ou que perdu ne fust par aucuns des gens du pais ou autrement a la poursuite du quel poisson requerir a avoir a certaine journee dassises tenues audit lieu de Saint Sauveur se fut represente le dit escuier et oppose disant et affermant que es lieux et metes ou estoit venu et arrivey ledit poisson ce avoit este en son dit propre lieu et seignourie ou queil et ailleurs en dit lieu et granage en la dicte parroisse appartenant audit escuier des choses illecques venans et arrivans lui et ceulx donc il avoit la cause et le droit avoient eu bonne possession et saisine toulte fois que le cas se estoit offert lespasse de quarante ans et de plus et tant de temps que il nestoit autre memoire du contraire. Et eust requis sur ce que justice se informast comme il appert et segon lordenance de leschie faicte en tel cas ou autrement semblable afin que sommierement et deplain sans figure de proces joux la dicte ordonnance len procedat en cas sur laquelle oppoicion et requeste eu sur ce conseil et avis une veue eult este assise en la dicte parroisse entre Pierres Feron procureur dudit Seigneur dune part et le dit escuier dautre a certain a journee par Jehan Bifel sergant commis ad ce de laccort des dictes parties la quelle veue monstree et soustenue entre ledit procureur dune part et ledit escuier dautre du retour de laquelle veue Sachent tous que es assises dudit lieu de Saint Sauveur et de Nehou tenues audit lieu de Saint Sauveur par nous Bailli dessusdit lan de grace mil ccc lx et seze le tiers jour Davril la veue faite entre le dit procureur dune part et le dit escuier dautre part douze hommes presens et passants sans son en jugement entre lesdit parties donc les nons ensuivent Cest asavoir Colin Mansel dit lespicier, Perrin Lurier, Colin Jamet, Perrin Maillart, Thomas Bernart, Thomas Le Roy, Jehan Ernaud, Colin Lurier, Robert le Proudomme, Ph' Lemor, Jehan Famot et Phôt Petit varlet, ledit escuier dit et propoza que en la monstree faite cest assise la quelle avoit estoy a la dicte veue et monstree dicelle bonnee codee et devisee en y metant baille pour faire declaracion des lieux entre les dictes bailles es queilles disant le dit escuier avoir droit davoir lesdites vres illecques vennans et arrivans en son dit lieu et granage a lui appartenant en quel lieu entre les dictes baillies ledit vrec estoit venu et arrivey donc question estoit a present et aillours au dehors des dictes baillies avoit le dit escuier son droit et granage et les chosses venans et arrivans quant le cas soffroit. Cest assis ledit granage joux Colin Aubree de ladite parroisse a cause du tenement que il tient du lieu Crespin dun coste et la terre que souloit tenir Guille Hervieu du lieu Crespin dautre coste bute sur la mer. Et le droit que le dit escuier y avoit dis et monstroie que ce estoit a cause du transport et exchange que len avoit fait Drouet du Biffon escuier en temps que il vivoit avec plusieurs autres chosses contenus et exprimeez es lettres de baillie sur ce faictes de la confession et obligacion du dit feu Drouet que porte le dit escuier faictes en son non et que les dis vres venans et arrivans et lieux et metes dessus touches et desclares ou estoit venue et arrive le dit poisson, et es autres lieux et granages dessus devisez des dis costes et but le dit Drouet et ses ancesours au devant du transport que fait avoit des dis heritaiges audit escuier avoient eu bonne possession et saisine sans interrupcion l'espace de quarante ans et de plus et de tant de temps queil ne pavoit estre autre memoire de homme du contraire. Et que la desrein fois que le cas festoit offert au devant de ceste que il estoit venu endit lieu et granage et arrivey ung tonnel ou il avoit vin blanc Despaigne y celui tonnel avoit este prins et saesie par justice et fut porte a Carenten en quel lieu de Carenten feu Laureins du Biffon pere du dit Drouet pour lors ycelui Laureins Seigneur du dit lieu du Biffon avec ses appartenances avoit pourfuy a avoir ledit tonnel et vim par devers les officiers et justices qui pour le temps

estoit audit lieu de Carenten et a qui il appartene a congnoistre en cas et lui avoit estoit rendu et delivre aplain sans sans¹ difficulte ou doubte aucune le dit tonnel et vin et ramane eudit manoir du Biffon par ce queil navoit este trouve et sceu que cestoit le droit dudit feu Laureins a cause dudit lieu et feignourie ou estoit comprins ledit granage et es metes et entre les mers dessus dis et que des dis vres illecques venans et arrivans il avoit eu saisine et possession lui et ses ancestres tendans a fin ledit escuier empris ce que il eut monstre et enseignie son droit de son dit lieu et feignourie du Biffon avecques ses appartenances par ses dictes lettres qui furent levez en jugement se son propos et libelle a l'en- fo. 57^b. tente devant dicte lui estoit congneu que le dit poisson lui fut rendu et delivrey ou le pris a quoy il avoit este mis ou pouvoit avoir valu, et la main du seigneur fourse et levee qui mise y avoit este par cause dudit arrivement dyceluj et se doubte en estoit faite de son propos et libelle et souffre il se creoit en ladicte enqueste presente ou en ce qui dicelle lui souffise. A quoi respond ledit Pierre Feron procureur comme dit est et dist que en la dicte monstree faicte le dit escuier ne ceux de qui il avoit la cause navoient droit davoir autre vres illecques venans et arrivans possession ou saisine nen avoient avecque eu en aucune maniere mes appartenans audit seignour et non a autre et sen creoit ledit procureur en lenqueste au contraire dudit escuier et ledicte escuier au contraire de la reponse et forme que faisse ledit procureur a lencontre du propos dudit escuier lesquelles gens de la dicte enqueste empris ce que iceulx nous eufmes fait jure et chescun de soy que il ny avoit aucun justiciable compere ou du lignage dudit escuier ou participant en la cause en aucune maniere favourable consulant ou confortant dicelle les feismes jurer de dire et rapporter verite par leurs sermens sur le cas et sur les choses dessus dis. Et les queilz se alerent sur ce conseil ou grant deliberacion et consultation et du retour du queil conseil distrent et raportent tous acordables par leur diz sermens sans descort daucun que eulx creioient fermement que endit granage et lieux monstres et devises par les merques et bonnez dessus touches et en yceux lieux proprement ledit escuier avoit droit et avoient lez dis Drouet et Laureins son pere et leur ancestres eu droit davoir les vres venans et arrivans es lieux et metes dessus dis qui monstre avoient este par ledit escuier comme dit est. Et en avoient eu possession et saisine toute et quante foiz que de ce le cas se estoit offert et jusques atant que audit escuier le dit Drouet eust baille et transporte ledit lieu avecque ses appartenances et pour cause dudit transport que en avoit le dit Drouet ledit escuier avoit droit davoir et reclamer a soy le vres venans et arrivans audit granage et que le lieu ou estoit arrivey ledit poisson estoit comprins en ycelui granage segon ce et en la maniere que propose lavoit et que il estoit verite que le dit tonnel et vin estoit venu et arrivey endit granage du lieu dessus dit et combien que par la justice donc cy dessus est faicte mencion en eust este mene, si avoit il este rendu et delivre audit Laureins du Biffon a la cause et a la maniere que dessus est dicte et queulx ne croient que ledit Seignour ou aultre quelconque persone eust droit des vres demander et avoir en la fo. 58. dicte monstree faicte fors tant seulement ledit escuier par cause de son droit dessus dit que il monstre et desclaire par les dictes lettres. Par lequel raport et deposicion de la quelle enqueste ledicte escuier nous requist que nous lui vouissions rendre et delivrer ledit poisson ou le prix quil pavoit avoir valu affin de joir user et exploiter de son droit a l'entente devant dicte soit pour le temps passe et avenir comme il pouroit et devroit appartenir. Auquel escuier nous en fur ce conseil et avis que faire en devions a plusieurs sages et nobles personnes estans es dictes assises et notable personnes tant abbes chevaliers escuiers avocas et autre sages et conseil dudit Seignour qui present y estoit par les queilz nous trouvamez et nous didrent que veu les lettres et le droit contenus en ycelles que avoit monstre ledit escuier et la deposicion de la dicte enqueste nous lui devions acorde la dicte requeste et ne voient ne ne

¹ Sic.

savoient chosses par quoi faire ne le deussent. Nous bailli dessus dit audit escuier otrialmes et ajugames la dicte requeste et levames la main dudit Seignour qui mise y avoit este ou fait dessus dit par cause dudit poisson ainsi venu et arrivey comme dit est present a ce le dit Pierre Feron procureur dudit Signour qui ny mist aucun debat des queilles chosses dessus dis ledit escuier **Fortescu** ou nom que dessus nous requist cestre lettre pour lui valler en temps advenir se mestre en avoit ce que raison feroit la queille nous lui otrialmez. Donne soubz le grant sceel aux causes dudit bailliage lan jour et assises dessus dit, ainsi signe. J. Aanquetil.

Folios 58^b and 59 are blank.

fo. 59^b. **G**uillaume Gaubonnoisel, premier president.

Francois de Limoze chevalier, gouverneur.

Louis de Gaubon vous command de faire pour.¹ . . .

¹ These names are in a handwriting of the 17th cent.

Cy ensuit la teneur de la lettre comme

fo. 6o.

Drouet du Buiffon escuier bailla a Jehan Fortescu escuier le fieu du

Buiffon avecque toutes ses appartenances assises en

la paroisse de Sainte Marie du Mont.

A tous ceulx qui ces lettres verront ou orront. Martin Lours Viconte de Carenten salut. Sachent tous que par devant Colin Hais clerc tabellion jure en la dicte Viconte fut present a Carenten Drouet du Buiffon escuier qui de sa pure volente sans aucun contraignement congnot et confessa que il avoit quitte ceste baille fieusse et du tout en tout a fin de heritaige delessie a Jehan Fortescu escuier le fieu du Buiffon avecque toutes ses appartenances assises en la paroisse de Sainte Marie du Mont. Cest assavoir le manoir du dit Drouet avecque le coulombier et les gardins a ce appartenans le moulin les prais le vivier les demaignes terres labourables et autres que le dit escuier avoit en la dicte paroisse. Ainsi comme les chosses dessusdites se pourportent et estendent et comme eux sont garinez tant en fons tresfons que fourfaiz avecque toutes les rentes tant en formens avenies deniers refgars pains guelines oeufs et autres choses queconque. Et toute la droiture que le dit escuier pourroit et devoit avoir a cause dudit fieu avecque ses appartenances tant en court et usaige a simple gaige et plege appartenans reliefs en tresfemes en amendes et explez en justice et en juridicion tant en terres en eaux en bois que en plain avecqz toutes les motes vertes et seques au molin appartenans. Et avecque tous les services deubz et appartenans audit Drouet tant a cause du dit molin que autre a cause du dit fieu avecque ses appartenances et toutes les droitures franchises dignites hommaiges et libertes que le dit Drouet pouvoit et devroit avoir et qui a ycelluy pouvoient et devoient appartenir par raison du dit fieu avecque ses appartenances sans aucune chose retenir ou excepter en aucune maniere de quiconque maniere ou estat que ce soit ou puisse estre. A tenir pourfuir et avoir derenvant a heritaige audit Fortescu et a ses hers et es avans cause de luy sans contredit debat ou empeschement que le dit Drouet y puisse mettre en temps advenir en aucune maniere. Et sans ce que le dit Drouet ne ses hers ou autre avans cause de luy y puisse jamais aucune chose demander avoir reclameir par quiconque voie maniere ou condicion que se soit ou puisse estre. Ainsi que ledit Fortescu paiera et rendra dorenavant laide due a Saint Sauveur le Viconte a cause dudit fieu tout seullment. Et fut ce fait pour ce que ledit Fortescu bailla tourna et assie a heritaige audit Drouet les rentes qui ensuient a prendre dorenavant chescun an sur les hommes dudit Fortescu en la dicte paroisse de Sainte Marie du Mont, jous ce et la maniere qui ensuient. Cest assavoir sur Estienne le Berriner dix boisseaux de froment a la mesure de Tollevast, sur Jehan de Neele cinq boisseaux d'avenne a la dicte mesure, sur Thomas Robice vij quartiers d'avenne a la

fo. 6ob.

fo. 61.

dicte mesure, sur Destoqueville, trois boisseaux de fourment a la dicte mesure, sur Pierres Berot et sa fame a cause delle, Rogier Petit et sa fame a cause delle et sur Pierres Lilier viij boisseaux de fourment a la dicte mesure, sur Guille Petitvalet dit Roufset trois boisseaux et demy de fourment a la grant mesure. Item six boisseaux de fourment a la mesure de Tollevast et trois boisseaux d'avenne a la dicte mesure de Tollevast, sur Guille le Marchant deux boisseaux de fourment ala mesure de Tollevast, sur Pierres Lilier sept boisseaux de fourment a la grant mesure. Sur la deguerpie Hebert de Prestot douze boisseaux d'avenne a la grant mesure, sur Thomas Bermont dit Tieuclin deux boisseaux de fourment a la grant mesure. Item quartier d'avenne a la grant mesure, sur Colin sept boisseaux d'avenne a la grant mesure. Sur Jehan Syfroy deux boisseaux de fourment a la mesure de Tollevast. Sur Guillaume Enguelier un boisseaux de fourment a la grant mesure, sur Perrin le Heribel trois boisseaux d'avenne, a la grant mesure. Item vij quartier de fourment a la grant mesure. Sur Raoul Cousin vij boisseaux de fourment a la mesure de Tollevast, sur les hers Guille Lecomte vij boisseaux de fourment a la mesure de Tollevast, sur Rogier Bermont vij quartier d'avenne a la mesure de Tollevast. Sur Robin Lemor trois boisseaux de fourment a la mesure de Tollevast. Sur Colin du Hamel cinq boisseaux de fourment a la grant mesure, sur Guille Estienne vij quartier d'avenne a la grant mesure de Tollevast, sur Colin du Hamel cinq boisseaux de fourment a la grant mesure, sur Guillem Estienne vij quartier d'avenne a la grant mesure, sur Perrin la Canne dit Sablon huit boisseaux de fourment a la grant mesure, sur les hers Albi le Bailli ix boisseaux de fourment a la grant mesure, sur Colin Fiquet sept boisseaux de fourment a la grant mesure, sur Perrin Hamelin deux boisseaux de fourment a la grant mesure, sur Perrin Berot trois boisseaux de fourment a la mesure de Tollevast, sur Michel le Breton douze boisseaux d'avenne a la grant mesure. Sur Thomas Ernaud vij quartier d'avenne a la grant mesure, sur Thomasset Bourdet vij boisseaux de fourment a la mesure de Tollevast, sur Guillaume Fortescu vij boisseaux de fourment mesure de Tollevast, sur Thomas le Fae vij quartier de fourment a la mesure de Tollevast. Sur Michel le Coretel cinq boisseaux de fourment a la mesure de Tollevast, sur Jehan Mauchiz vij quartiers de fourment a la grant mesure, sur les hers Guillem Malosel deux boisseaux de fourment a la mesure de Tollevast, sur Jehennet de Hanville dix boisseaux de fourment a la grant mesure, sur Perrin Angot huit boisseaux de fourment a la mesure de Tollevast. Sur Colin Mancel dit Lespicier, trois boisseaux de fourment a la mesure Destoquebule. Sur Robin le Piart trois boisseaux de fourment a la mesure de Brucheville. Sur Jouhan Lemor six boisseaux de fourment a la mesure de Tollevast. Et pour ycelles rentes avoir et paier le dit Drouet ses heres et avans cause de luy pourront faire justice sur tous les heritaiges et tenemens que tiennent les dis hommes du dit Fortescu en la dicte paroisse de Sainte Marie du Mont toutes et quantes foiz que mestier en fera les queilles le dit Fortescu promist et se obliga garantir fournir delivrer deffendre et mettre hors de tous empeschemens franchir quitter enteigner fournir sans decheance et sans amenisement ou ailleurs eschange en son propre heritaige, value a value se mestier en estoit les queilles rentes dessusdis se montent et peuvent valer deux boisseaux d'avenne a value pour ung boissel de fourment a chescune des dictes mesures et lune mesure equipollée et avaluée lune a l'autre a la somme et value de trente et sept quartier et trois boisseaux de fourment a la mesure de la dicte ville de Sainte Marie du Mont. Et pour parfaire la somme de quarante quartiers a ycelle mesure que le dit Fortescu estoit tenu a faire audit Drouet a heritaige pour cause du dit manoir gardin coulombier moulin de eau preis terres labourables et autres o leur appartenances le dit Fortescu se obliga paier rendre chescun an audit Drouet et a ses heires ix boisseaux de fourment a icelle mesure jusque atant quil en ait fait tourner et assietter audit Drouet et a ses heres en la serganterie de Sainte Marie du Mont souffissant et avecque ce promist et s'oblige le dit Fortescu paier et rendre dorenavant

fo. 61^b.

chescum an audit Drouet et a ses heres autant de rente et regars tant en forment aveine deniers pains guelines oiseaulx et oeufs, comme il sera trouve et pourra apparer par les hommes et tenans du dit Drouet a cause du dit lieu o ses appartenances lui deusse chescum an a heritaige cent soulz. Et pour ce et pour paier le dis ix boisseaux de forment le dit **Fortescu** pourra ester justice toulte et quantes foiz que mestier en sera par execucion de justice jusque atant quil en ait fait affiete souffisant audit Drouet ou a ses heres en la dicte sergantrie de Sainte Marie du Mont, la quelle affiete le dit Drouet et ses hers ferront tenus a prendre par une fois ou plussours toutes et quantez foiz quil plaira audit **Fortescu** ou a ses heres. Et la dicte affiete faicte en toulte ou en partie le dit **Fortescu** et ses heires seront tenus fournir garantir delivrer et deffondre tout ce qui en faisant et acomplissant la dicte affiete sera baillie tournee et affie sauf que en tant comme thouche certains deniers daide que doivent a cause dudit lieu demourer a heritaige audit **Fortescu** et a ses heres pour faire lacquit dicelluy par devers le Seigneur souverain sans ce que le dit **Fortescu** ou ses heres en ferront tenus a faire en paiement ou affiete audit Drouet ou a ses heires en autre maniere. Et pour ce le dit Drouet promist et se obliga pour lui et pour ses heres et pour tous autre avans cause de luy a garantir deffendre et mettre hors de tous empeschemens audit **Fortescu** et a ses heres avans cause de luy le dit lieu avecque ses appartenances avecque tout le droit accion propriete posce faire justice seignourie seline et reclaim quil avoit pouvoit et devoit avoir en toutes les choses dessus dictes et en chescum dicelles ou ailleurs en son propre heritaige eschange value a value souffisant se mestier en estoit. Et quant a toutes les choses de sur dictes et a chescune dicelles tener enteigner et acomplir de point en point en la maniere que dessus sont devises les dictes parties chescun de foy et pour tant comme a foi et en son fait touche oblige eux et leurs heres et tous leurs biens et de leurs heres meubles et heritaiges presens et advenir partout ou que eux soient trouves et soubz quiconque juridicion a estre prins vendus et explectes et despendus de jour en jour de homme a autre a tel feur tel vente par execucion sans figure de Jugement lonc proces en erreur de plet. Et pour rendre et restituer lune partie a lautre ou au porteur de ces lettres tous les coux mises et despenfes qui pour deffaute des choses dessus dictes ou aucun dicelles tenir acomplir et enteigner ou pour ycelles faire acomplir et enteigner seroient eux fois et soustenus donc chescun des dictes parties seroit creu par son serment simple sans taxe de justice serement en aucune promis fere et vouldrent et acordrent les dictes parties chescune de foy et pour tant comme a foy et a son fet appert que le porteur de ces lettres puisse poursuivre requerrer demander et aver execucion de ces presentes en tout ce que en elles sont peuvent et doivent estre execute tant en principal despenfes que en toutes autre choses en jugement et dehors par tout ou il devra et pourra appartenir sans autre atournee ou procuracion monstrier et vult et acorda le dit Drouet que le dit **Fortescu** puisse prendre la cefine realement et defait le dit lieu avecque ses appartenances et avecque toutes le choses de sur dictes des queilles il se decefit presentment devant le dit tabellion en baillant en cefine et possession a icelui audit **Fortescu** devant icelui. Et quil sen puisse faire baillier possession et cefine a heritaige au sergant du Roy notre Seigneur se il voit que a lui appartiene. Et a ce fut presente Katherine du Hommet femme dudit Drouet a la quelle il donna auctorite qui presentement et exprefement renonche a tout ce quelle peult avoir demander reclamer par maniere de douare viage ou autre en tout le dit lieu avecque ses appartenances, et avecque toutes les choses de sur dictes. Sans ce que james elle puisse contredire obvier rappeler ou empescher les choses de surdictes ou aucun dicelles pour cause de douare ob viage mariage empeschement ou autre en quiconque maniere que ce soit ou puisse estre. Sauf a la dicte damoissele a aver tel douare ou viage comme a lie pourroit et deveroit appartenir sur les rentes dessus dictes et sur les

fo. 62^b.

choffes baillies et acordes estre fetes et paieez par le dit **F**ortescu a cause et par raison des choses defurdites joux ce et en la maniere que defur est dicte et devise. Et renonchent sur ce les dictes parties chescun de foy et pour tant comme a foy et a son fet peult et doit appertener. Et la dicte damoiselle a l'autorite defur dicte en tant comme le cas et les choffes dessurdites la peuvent et doivent touche a toulte excepcion de decepcions de fraude de malice circonueise barat et cavillation de faet de droit canon ou fivil de coustume ou de ufaige a toultes grantes privileges de Roy ou de Prince ou autre signours a lettres destat et respit ou prorogacion ou relevacion dobligacion de Roy de Princes ou dautre signours ottries ou a ottrier soubz quiconque forme au droit velleien introduit a la faveur des fames a toulte privilege de crois prins ou aprendre. Et generalement a toutes les choses qui aidier et valoir leur pourroient obvier a contredire et empescher et aler en contre les choses de furdites ou autres dicelles generalement ou especialment en aucune maniere. Et especialment au droit generale renonciacion non valer. Et jurerent les dictes parties et la dicte femme o l'autorite defurdite chescun de foy et pour tant comme a foy et a son fet touche a Sainctes Evangiles de Dieu que james sur les choffes de furdites ou aucun dicelles niron ou vendront ne aler ne venir ne feront par eux ou par autres en aucune maniere quelle quelle soit ou puisse estre. En tesmoing de ce nous a la relacon dudit tabellion avon mis le grant sceel donc nous ufon aux causes de la dicte Viconte en labcence du sceel des obligations dicelle. Fetes et passés lan de grace mil ccc sexante et chinq le xxvii^e jour du mois de Janvier.

fo. 63.

A tous ceulx qui ces lettres verront Martin Lours Viconte de Carenten salut, faver faisons que lan de grace mil ccc lxx le xxix^e Jour de Janvier a Carenten par devant nous furent presens **J**ehan **F**ortescu escuier de vne part et Drouet du Biffon escuier de autre. Et recongnurent et confesserent les dictes parties et chescun de foy et come a foy et a son fet touche que toultes les choffes contenues et donc mencion est fete aux lettres par les queilles ces presentes sont annexes estoient bonnes et vraes et que ycelles avoient passees congneuez et confesses chescun en tant comme a son fet appert en la maniere que contenu est en ycelles. Et dabundant presens par devant nous emprisi ce que les dictes lettres eurent ester leuez et deligemment entendus en leur presence les dis escuiers chescun en son fet loerent approuverent confermerent congnurent confesserent et ratisfierent toultes les choses contenues et donc mencion est fete aux dictes lettres. Et vouldrent et acorderent que elles tiengnent dorenavant inviolablement et sans en fraindre de point en point en la maniere que elles sont dictes et devises. Sans ce que les dit escuiers leurs heres ou aucun avant cause de eux puisse james contredire ou empescher que ellez naient effiet par quelque voie maniere ou condicion que ce soit ou puisse estre. Et quant a ce et aux choffes dessusdictes tenir et acomplir joux ce que dessus est dit leudit escuiers chescun de foy et en son fet foblignent tant pour eux que pour leurs heres, et pour tous aultres avans cause de eux sur la capcion et obligacion et prinse de toulx leurs biens meubles et heritaiges presens et advenir vendue et explectacion diceux. Et tesmoing de ce ces lettres sont scellees du grant scel des causes de ladicte Viconte faictes et donneez en lan et jour dessusdits.

Cy ensuit la teneur de la lettre comme **J**ehan **F**ortescu escuier se descharge vers Drouet du Buiffon escuier de la somme de neuf boisseaux de fourment et des rentes donc mencion est feite en la lettre dessus transcripée.

A tous ceulx qui ces lettres verront ou orront Michael du Mareft garde du sceel des obligations de la Viconte de Carenten salut. Comme Jehan Fortescu escuier fut tenu et obligie a tourner fo. 63^b. et a asfer a Drouet du Buiffon escuier neuf boisseaux de fourment de rente anuel a la grant mesure de Sainte Marie du Mont de demourant de la somme de quarante quartier de fourment donc mencion est fecte plus a plain aux lettres de contraux preanexes fes par entre eux. Et ainsi fut tenu ledit Fortescu au dit Drouet du Buiffon a lui tourner et asfer autant de rente comme le dit Drouet avoit en fieu du Buiffon. Cest assavoir deux boisseaux davene pour ung boissel de fourment boissel de fourment pour boissel deniers pour deniers et semblable en regors oeufs et autre chosses comme plus aplain est contenu en leurs dictes lettres et contraux lezqueilles rentes ledit Fortescu estoit tenu paier de an en an a heritaige par voie de execucion jusque atant que il en eust fet assiete souffisant au dit Drouet. Sachent tous que par devant Thomas le Paillier tabellion jure et establi a ce qui ensuit fut present Jehan Fortescu escuier qui presentement tourna et assie audit Drouet de Buiffon les dessurdites neuf boisseaux de fourment a prendre et a avoir sur Raoul Mansel a faire pour ce justice sur le tenement quil en tient. Et soubz la la somme que devoit asfer le dit Fortescu au dit Drouet a cause des rentes du fieu du Buiffon le dit Fortescu en fait assiete et tournee audit Drouet presentement de la somme de vint et ung boisseaux de fourment a la grant mesure de Sainte Marie du Mont petite mesure a value a grande vint guellines et demi deux soulz vijd. pour pains chinquante oeufs six soulz en deniers a prendre et avoir annuelement de rente sur les hommes qui ensuivent, cest assavoir sur Thomasset de la Dune neuf boisseux de fourment, sur Laurent Gautre ouit boisseux de fourment, sur Perrin Païen de Brucheville trois boisseux davene et deux boisseux de fourment a la mesure de Brucheville et dix œufs sur Estienne le Berrier, ung boissel dorge ung boissel davene deux pains de manfes deux guellines. Sur Jehan de Neel vij pain de manfes une guelline. Sur Thomas Robice ung pain de manfes une guelline dix oeufs, sur Perrin Berot deux guellines trois deniers pour pains, sur Guillem le Marquant une guelline. Sur Perrin Lulier deux pains deux guellines, sur la deguerpie Herbert de Prescot de La Dune et ses parchonniers deux pains de manfes deux guellines, sur Thomas Bermont ung pain de manfes ung capon dix oeufs. Sur Colin Hais une guelline, sur Guillot Enguellier une guelline, sur Perrin le Heribel ung pain, une guelline dix oeufs. Sur les heres Guillaume le Coince une pain une guelline dix oeufs. Sur fo. 64. Robin Lemor ung pain une guelline, sur Jehan le Sergant ung pain une guelline, sur Thomasset Bourdet, ung pain une guelline, sur Jehan Lemor une guelline, sur Guillot Estienne trois s' de rente, sur Perrin Lulier et sa femme dix et huit deniers. Sur Rogier Petitvalet et sa femme dix et huit d'. Et a fere pour les dictes rentes justice sur les tenemens que eux entiennent. En deschargant la somme en quoy le dit Fortescu estoit tenu et obligie audit Drouet du Buiffon joux le contenu en leurs dictes premieres lettres et contraus la queille tournee et assiete le dit Drouet pour luy et pour ses heres print et accepta agrey ainsi que le dit Fortescu et ses heres sont et seront tenus dorenavant au dit Drouet et a ses heres les rentes desurdits vers tous et contre tous garantir delivre deffendre oster et metre hors de tous enpeschemens fournir faire valer entigner francher et quitter sans dechie et sans amenisement ou aillours eschie en propre heritaige dudit Fortescu et de ses heres value a value souffisant se mestier en estoit. Et defuant le dit Fortescu de lexecucion entant comme en la dicte tournee se monte, et pour tant comme touchent six boisseaux davene de rente deux pains deux guellines alans a leglise de Sainte Marie du Monte, a quatre faites de Notre Dame encheus qui se monte une ouche et deux boisseaux davene de rente alans a Mons. de Coustances que certaine terre endit demaine peult devoir font a valueez a chinq boisseaux et demie de fourment a la grant mesure de Sainte Marie du Mont le dit Drouet Buiffon est tenu et se obliga a faire descharge audit Fortescu sur le demourant de la rente que

fo. 64^b.

il luy peult mes devoir joux le contenu touche et en oultre pour tant comme touche le quart de une pieche de terre contenant viron une vergie ou Crespin de la Massure es Christienez assise en la croute Heulier endit demaigne le dit Drouet du Buiffon soblige pour luy et pour ses heres fere descharger au dit **Fortescu** et a ses heres de teille rente comme il empaire et quelle peult devoir par an de rente. Et au fourplus demourant les premieres lettres et contraux en leur vertu pour tant comme touche la fornef-ture et garantiſe et de lexecucion demourant chargie le dit **Fortescu** en tant comme oblige est mes et tenu a faire au dit Drouet assiete comme il pourra appareir en leurs dictes lettres et contraus. Et quant aux chosses dessurdites et a chescunes dicelles tenir garder maintenir et acomplir de point en point en la maniere que dit est et devise les dis **Fortescu** et Drouet pour eux et pour leurs heres sobligent et tous leurs biens meubles et heritaiges prefens et advenir ou que eux soient trouves a prendre vendre par la justice pour ce enteignment et rendre les uns aux aultres ou a qui ces lettres portera tous les coux mises et despenſes qui en deffaut des chosses dessusdites enteignus seroient fes eus et soustenus. Et renoncent sur ce les dessusdits **Fortescu** et Drouet pour eux et pour leurs heres a toutes excepcions decepcions fuittes malices cavillacions et a toutes autre excepcions et deffenſes quilconque par quoi len pourroit venir contre la teneur et obligation de ces lettres qui en tesmoigne de ce sont scelles a la relacion dudit tabellion sauf autre droit. Ce fut fait lan de grace mil ccc soixante et sept en jour de la Notre Dame Candelour.

That which follows is in the same handwriting as the names on p. 64.

**Ce libre est le Chartrier ou sont les Rentes de
Richart Fortescu.**

**Xavier Maubonnoisel
premier ellev en lelection
De Carenten.**

In the lower margin of folio 65^b occurs the signature of G[uillaume ?] Fortescu, of which a facsimile is here given.

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GLOSSARY.

ACHATEUR. Qui achète.
Acoustumier, coustumier. Habitué, qui a la coutume.
Agrey. À gré.
Aguillon. Une pointe.
Aidier. Aider, servir.
Aie, aye. Aide.
Aille. Côté, bord, extrémité.
Ainfné, efney. Aîné, premier.
Ainfneche, aainneefche, efneage, efneche. Droit d'aîneffe.
Airont, arront. Auront.
Aleroms. Cotenanciers ?
Amenifement, amenuifement. Diminution, soustraction.
Aoue, oue. Oie.
Aplain. Clairement, évidemment.
Aportant, portant. Portion, la portion à chacun.
Appareir, apperoir, apparer. Paroître, se faire voir.
Apprendre. Apprendre, emporter.
Arront, v. airont.
As. Avec, ad.
Affeer, affegier. Poser, placer.
Afferer. Affirmer.
Affiete. Abandon de terres, dont le produit égale les arrérages d'une rente de laquelle on était chargé; assignation de dot.
Affifes. Droits que levaient les seigneurs sur les bêtes de trait; plaids que des juges supérieurs allaient tenir.
Aulant. Allant.
Auxi. Auffi.
Aveine, avenies, avenes. Avoines.
Ay. Ai.

Baillie. Baile, bailie, tutelle.
Baillier, bailler. Prendre; tenir en son pouvoir, donner.
Barat. Embarras, empêchement.
Beques. Petits cours d'eau; nom de lieu.
Bernaige, bled bernage. Blé meulin ou moulure; mélange de l'orge, feigle et blé.
Befque. Une bêche.
Bieu. Bief; la retenue d'eau du moulin.
Boel (longs boel). Cour ou mafure.

Boiffel. Boiffeau, mesure.
Bonnee, bonnez. Bornée, limité.
Boque, bocque. Petite élévation, éminence.
Bruiere. Bruyère, brouffaille.
Bus, but. Bout.
Butent. Abutent.
Butiere. Canal, conduit, ouverture.
Buy. Vide, espace vide; v. Bieu.

Cabos, caboz, cabat. Mesure pour le blé.
Caiche. Petit chemin.
Camps. Champs.
Candelour. Chandelour; la fête de la Purification de la Sainte-Vierge.
Caneviere. Chenevière, lieu rempli de roseaux.
Carue. Charrue.
Cas. Nom de lieu ?
Cauchie, caucée. Chauffée, chemin.
Cernot, cernot de mer. Espèce de poisson (v. "La nature des poissons," par P. Belon du Mans, 1555; fous le mot "*Cernua*").
Cefine. Saifine, possession.
Chaer, cheir. Arriver, tomber.
Chambre. Fife, domaine.
Chapel. Chapelet, comme de fleurs.
Chapon. Capon.
Charier. Voiturier, aller.
Cheir, v. Chaer.
Chemetiere, chimentiere. Cimetière.
Chefcum. Chacun.
Chiet. Il convient, il est à propos.
Chinq, chinc. Cinq.
Chinquante. Cinquante.
Circonveis. Action de circonvenir.
Clofe. Clôture, enclos.
Clofet, clofeau. Petit jardin de payfan, un petit clos.
Codee. Cordée, arpentée.
Cognoistre. Connoître.
Coing. Coin, monnaie.
Congneues, cogneheu, cognut. Connus, reconnu.
Conprins, comprins. Compris, entendu, enceinte.
Contraignement. Contrainte, violence.

Contreplege. Le répondant de la caution, et la caution même.

Corte, cort, cors. Cour, court, petit.

Coste. Le côté.

Coulombier. Colombier, pigeonnier.

Courtil. Jardin qui est ordinairement enfermé de muraille, de haies, ou de fossés.

Coux. Dépenses, frais.

Crois, croist. Acroissement, augmentation.

Crouce. Croix.

Croute, crouste. Sorte de champ; mare remplie d'eau.

Croye. Croix.

Cufenier. Cuifinier.

Cy. Ici.

D'. Deniers.

Dabundant. D'abondant, de plus.

Dan, dam. Seigneur, maître.

Danuel, *lisez* d'annuel.

Daveine, *v.* Aveine.

Dechair. Ôter, retrancher, diminuer.

Decheance, descheance. Perte d'un droit acquis.

Dedens. Dedans.

Defique. Bordure.

Defuir. S'enfuir, se retirer.

Deguerpie, guerpie. Abandonné, délaissé, veuve.

Deleffie, *v.* Leffer.

Demaigne, demaine. Domaine, terre.

Demourant. Le restant, le résidue.

Dempres. Auprès, proche.

Dendroit, *v.* Endroit.

Deniers. Il est fait mention de plusieurs fortes de deniers qu'on nommoit Barois, Blancs, Parisis, Tournois, etc. Denier Parisis valoit un quart de plus que le denier Tournois.

Departir. Partir, séparer.

Deplain. Sommairement.

Dercheure, *v.* Hercheure.

Derennier, derrenier, desrein. Dernier.

Descheance, *v.* Decheance.

Desclairer. Expliquer, éclaircir, démontrer.

Descort. Débat, procès, dispute.

Desfique, *v.* Defique.

Desney, *v.* Esney.

Despendre, despëndus. Dépenser, payer.

Destat, *lisez* d'estat.

Destaville, *lisez* d'Estaville.

Deubz. Dû.

Devanc. Devant.

Dever, deuvre. Devoir, être endetté.

Deviser. Stipuler, convenir par écrit.

Dic, diq, dique. Canal, fossé.

Dicte. Dite.

Didrent, difrent. Dient.

Dilleuc, *v.* Illeuc.

Doibt. Doit.

Dont. D'où.

Dorenavant. Dorénavant.

Dottembre, *v.* Octobre.

Douuaire, dovaire. Domaine d'une paroisse; fixe revenu.

Douyt, douit, duyt. Canal, courant d'eau.

Dum, dune. Montaigne, colline, élévation.

Duyt, *v.* Douyt.

Dyver. D'hiver.

Effiet. Effet.

Eire. Chemin, route.

Empaire. S'emparer, ôter, occuper.

Emprendre. Entreprendre.

Encheue. Succession, héritage.

Endroit. Concernant, environ, envers.

Enpeshemens. Empêchements.

Enqueste. Enquête.

Enseignée. Apposer ses armes.

Enfuiant. Enfuivent.

Enteigner, *v.* Teignir.

Eoufs. Œufs.

Ere, her, here. Héritier.

Es. En, dans, chez.

Escellin. Schelling, monnoie d'Angleterre.

Eschair. Échoir.

Eschie. Redevance convenue.

Esclusete. La petite écluse, entre le seigneur et le vassal.

Esneche, esneage, *v.* Ainsneche.

Esney, *v.* Ainsné.

Espinois. Lieu plein d'épines.

Espleiter. Tirer le revenu d'une terre.

Esquelles. Es quelles.

Essart, hezart, heffart. Menu bois; champ rempli de broussailles.

Estaunque, estanche. Vivier, réservoir.

Estendre. Estimer, apprécier.

Estent. Étant.

Efter. Été.

Estoyer. Être, subsister, paroître.

Estre. Etre.

Eu. Au.

Eudit. Audit.

Eulz. Ils.

Eus, eux. Eu.

Eufe. Eux.
 Eux, eulx. Elles.
 Explecte, esploicte. Profit, avantage, utilité.
 Expleit. Revenue produit d'une terre ; *v.* Espleiter.

Faet. Fait.
 Faier. Inféoder, donner en fief.
 Fains. Foins.
 Faifance, faifants. Corvée, rente, redevance.
 Faïtes. Fêtes.
 Fame. Femme.
 Feit, fecte. Fait.
 Feivre. Forgeron.
 Fenil. Grenier à foin.
 Fere. Faire.
 Fes. Fois, fait.
 Feuil, *lisez* Fenil.
 Feus, fes. Faites.
 Fieu. Fief.
 Fieusse, fieuffe. Fieffé.
 Fin (de teneur). Condition sous laquelle on tient un fief.
 Fois. Fait.
 Fons. Fonds.
 Formens, fourment. Blé, grain, froment.
 Fornesture. Fourniture.
 Fose. Fossé.
 Fournier, fornier. Boulanger, tuilier.
 Fourques. Gibet exposé sur les grands chemins.
 Fraindre. Rompre, brifer.
 Franc. Libre, qui ne paie point de taille.
 Froyre. Frère.
 Fuitte. Evafion.

Gaiges. Gage, fureté, amende.
 Gans. Gants, ancien droit feigneurial.
 Garantife. Garantie, protection.
 Gardin. Jardin.
 Garines, *lisez* Garnies.
 Gavelle. Javelle.
 Granage. Gravage, droit sur les épaves jetées à la côte de la mer.
 Granche. Grange.
 Grix. Nom de famille.
 Gueline. Poule.
 Guerpie, *v.* Deguerpie.

Haier. Entourer de haies.
 Hamel, ham, hamelet. Hameau, village.

Haubert. Grand seigneur ; feu le plus noble après ceux de dignité, tenu par un homme qualifié ; un haut baron.

Hault. Alte.
 Helle, hel. Barrière, champ fermé de haies.
 Herbegaige, herbergage. Logement, habitation.
 Hercheure, erecheure. Faire écafer les mottes de terre avec la herse.
 Hermes. Terres incultes.
 Hers, heres, eres. Héritiers.
 Hezart, heffart, *v.* Effart.
 Hezetes, hefetes. Nom de lieu ; les petites haies.
 Hogue. Élévation, colline.
 Hommaige. Hommage.
 Homme. Une île.
 Honneleuc, houuelenc. Mot encore insuffisamment expliqué.
 Hoquet. Petite piece.
 Houit. Huit.
 Houz, hoirs. Héritiers.
 Hue. Hugon, nom propre.
 Huiz. Porte, entrée.

Illenoque, *v.* Illeuc.
 Illeuc, illuec, illuecques, illenoque. En cet endroit.

James. Jamais.
 Joulx, jouxte, *v.* Jousté.
 Journée. Mesure de terre qu'un homme peut labourer en un jour.
 Jousté, joulx, jouxte. Proche, auprès.
 Jousticer, justifier. Exercer les fonctions de juge.
 Juree. Décrétée, commune.
 Justice, joustice. Le droit qu'un seigneur avait de donner les mesures en sa terre.
 Justiciable. Qui doit passer par un jugement ; soumis à la justice.

Labourable, *v.* Terre labourable.
 Laide, *lisez* l'aide.
 Laille, *v.* Aille.
 Lainfne, *v.* Ainsné.
 Lancer. Se jeter.
 Lavine terre, *lisez* La vive terre.
 Laye, *v.* Aie.
 Le, lee, lalee. Chemin large.
 Lenefche, *v.* Esnefche.
 Lequeminet, *v.* Quemin.
 Lere, *v.* Ere.
 Lesclufete, *v.* Esclufete.
 Lefney, *v.* Esney.

Lefpinois, *v.* Espinois.
 Lefqueilles. Lefquels.
 Leffer, deleffer. Quitter, laisser ; action de faire une cession à quelqu'un.
 Leftaunque, *v.* Estaunque.
 Leu, leux, liex. Lieu, endroit, espace de chemin.
 Ley. Étendue, largeur.
 Libelle. Chartre de concession.
 Lie, (à lie). À elle.
 Linel. Espèce de niveau ?
 Livrefon, livraifon. Délivrance, redevance annuelle.
 Loer, looer. Approuver, consentir.
 Lonc. Long, étendu.
 Longs boel, *v.* Boel.
 M̃. Mémoire.
 Maille. Petite monnaie de cuivre qui valait la moitié d'un denier.
 Maire, maires, mare. Marais.
 Mairete, maret. La petite mare.
 Maltez. Malleres ; carrières de marne.
 Malpertuis, maupertuis. Nom propre (?)
 Manfais. Petite monnaie des Comtes du Mans.
 Manfe, manfes. Demeure, habitation. Pain de manfe, *v.* Pain.
 Manfeis. Ce qu'on payait pour le droit de gîte.
 Mare, *v.* Maire.
 Marene, marene. Terre sur le bord de la mer.
 Marefcq. Marais.
 Maret, *v.* Mairete.
 Masurage. Cens ou redevance sur une maison ou métairie.
 Masure, meys. Terrain, plus grand que le courtil, plus petit que le manoir.
 Merques. Marques, limites.
 Mers, lisez Viers, *q.v.*
 Mes. Mis.
 Mefnage, mefnaige. Maison, habitation.
 Mefon. Maison.
 Mestier, mester. Besoin, nécessité.
 Mestre. Mettre.
 Mefuage. Manoir principal, maison qu'on habite.
 Mefure. Pour l'explication des Mesures de Normandie, *v.* "Études sur l'état de l'Agriculture en Normandie," par L. Delisle, *Evr.*, 1851 ; p. 526.
 Mete, mette. Borne, limite.
 Meuable. Meuble.
 Meulle. Gros tas, grosse masse de foin que l'on fait dans les près ; meule de moulin.
 Mever. Mover.
 Meys, *v.* Masure.

Mifes. Somme d'argent, dépense.
 Molin. Moulin.
 Molinet, mollineau. Moulinet.
 Monneage. Une imposition de 12 deniers par feu payés tous les trois ans.
 Monstree. Descente sur les lieux contentieux, ordonnée par le juge, pour en examiner les tenans et les aboutissants.
 Monter. Valoir, égaler.
 Mostier, moustier. Monastère, église.
 Mote, moute. Droit de mouture.
 Moutains. Hommes fournis au droit de moute.
 Moute, *v.* Mote.
 Noblece, noblece. Noblesse, droit du seigneur.
 Non. Nom.
 O, od. Avec, ou, au.
 Obole. Monnaie de cuivre valant la moitié d'un denier.
 Octobre. Le mois d'Octobre.
 Onc, oncques. Ci-devant, autrefois, auparavant.
 Ofer. Ôter, enlever.
 Otréer. Accorder, consentir, permettre.
 Ouche. Terre laborable enclosée de haies ou de fossés ; espèce de cour.
 Ourme. Orme.
 Ovecque. Avec, ensemble.
 Pain de manfe. Pain du ménage.
 Parchonnier. Celui qui a une portion dans un héritage ; cohéritier.
 Parfaire. Achever, accomplir.
 Parifys, parifis. Monnaie frappée à Paris, et valant le quart de celle frappée à Tours. Vingt sous parifis faisoient vingt-cinq sous tournois.
 Parmie. À travers.
 Parque, perque. Perche.
 Perre. Pierre.
 Pernele, Perrenelle (St.). Sainte Petronille.
 Pertuifage. Droit dû au seigneur pour avoir la permission de mettre un tonneau en perce.
 Peult. Peut.
 Pie. Pied.
 Pieche. Pièce.
 Plain. Clairement, évidemment, plein.
 Planche. Certaine mesure de terre, de 12 pieds de large.
 Pleige. Sureté, caution.
 Ples. Action, convention.
 Plet. Procès, plaidoirie.

Pois. Pefanteur, poids.
 Poitevine. Ancienne petite monnoie frappée en Poitou.
 Ponchel. Petit pont, bac, bateau.
 Portant, *v.* Aportant.
 Pourpart, pourpartie. Portion d'héritage.
 Pourporter. Déclarer, faire savoir.
 Prael. Pré, prairie.
 Preaux. Prés, petits prés.
 Preis, prais. Prés, prairies.
 Premiers. Premièrement.
 Prent, print. Il prit.
 Prestre. Prêtre.
 Prevoite. L'office d'un fenefchal.
 Prey. Pré, champ.
 Prins. Pris, enlevé.
 Promidrent, promistrent. Ils promirent.
 Propos. Proposition, dessein.
 Puet. Il peut.
 Puis. Puits.

Queilles. Quelles.
 Quemine, queminet. Chemin.
 Querne. Nom propre, Le Chêne.
 Quesne. Chêne, arbre.

Rabatre. Abolir, révoquer.
 Ramane, remaner. Rester.
 Rappellier. Réclamer, redemander.
 Real. Royal.
 Receante, *v.* Refeante.
 Recongnure. Reconnoître.
 Regars, refgars, regaires. Regards, menues rentes.
 Reis. Mesure de grains; rasière.
 Relacion. Relation.
 Renoncher. Renoncer.
 Requerre. Demander, s'informer.
 Refgars, *v.* Regars.
 Refeantife, reféandife. Redevance qui ne se payait que tous les trois ans, pour le droit de domicile.
 Rondeaux. Certaine mesure de terre et de vigne.
 Ros, roffe. Rofeau?

Sauf. Sauve.
 Sauvete. Sureté.
 Scel. Sceau, cachet.
 Segonde. Seconde.
 Seir. Soir.
 Seques. Sèches.
 Serement. Serment, promesse.
 Sestent. S'étant.

Seur. Sœur.
 Siete. Sixième.
 Soer, foier. Couper, scier.
 Solz, foulz. Monnoie valant 12 deniers.
 Somme. Charge, mesure.
 Sommierement. Sommairement.
 Son. Soupçon.
 Soubz. Dessous.
 Souleit, fouloit, foleit. Avait coutume.
 Sourfais, furefait. Les fruits de la terre, soit ceux des arbres, blés, etc.
 Sourplus. Surplusage, surplus.
 Sourfe. Surfis.
 Soustenuue. Entretien, subside, aide.
 Subget. Sujet.
 Suours. Sœurs.
 Suy. Scié.

Tabellion. Notaire.
 Taille. Telle.
 Taffer. Amonceler, mettre en tas.
 Teignir, enteigner. Tenir, avoir en main.
 Teingnent. Tiennent.
 Teneur. Condition sur laquelle on tient un fief.
 Terre labourable. Champ en culture.
 Terrou. Terroir.
 Thouche. Touche.
 Tielx, tiex. Telles, semblable.
 Tierche. Tierce.
 Tonnel. Tonneau.
 Toulx, toulx. Tout, tous.
 Tournee. Échange, attournement.
 Tourner. Transporter à un autre le droit qu'on a.
 Tournois, tourneux. Petite monnoie qu'on battait à Tours.
 Trans. En travers; au quartier.
 Travessain. De travers, de côté; nom propre.
 Tremois, tremois. Le printemps, où on sème les bleds menus, qui ne font pas que trois mois dans la terre.
 Tresfons. Tréfonds, le fonds et champ de quelque héritage (terre-fonds, fonds de terre).
 Trefiemes, xiiij^{es}. Une espèce d'aide.

Ung. Un.
 Ufaige. Droit, tribut, impôt.

Vain. Se dit d'une terre inculte.
 Vaindis, vaindis, venid. Foc ou place commune, plus large que le chemin, mais soumises à la même police.
 Valler. Valoir.

Vavaffour. Arrière-vaffal, homme franc.

Vavaffourie. La terre roturière, dont la condition se rapprochait le plus de celle des terres nobles ; arrière-fief.

Venid, *v.* Vaindis.

Vergie. Verge.

Veue. Examen, enquête.

Vey. Gué, passage de rivière.

Viage. Revenu annuel d'une terre ; rente viagère.

Viel, vieil, viex. Vieux, âgé.

Viers. Pêcheries.

Villeien. Vilain, payfan, laboureur.

Vim. Vin.

Vinc, vint. Vingt.

Viron. Environ.

Voiete, voiette. Petite voie.

Vres, vrec. Ce que la mer jette sur le rivage.

Xiiij^{es}. *v.* Tresiemes.

Y. Là, dans cet endroit.

Ycele. Celle-là.

Ycelui. Icelui.

Yprent, y prent, *v.* Prent.

Yront. Iront.

Yvenaige, yvernage. Hivernage, faïson de l'hiver.



CLERMONT LODGE — NORFOLK.
THE SEAT OF THE EARL OF CLERMONT.

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